

Public Document Pack

Southend-on-Sea Borough Council

Civic Centre
Southend-on-Sea

16 November 2021

Dear Sir or Madam,



I hereby summon you to attend the meeting of the Southend-on-Sea Borough Council to be held in the Council Chamber, Civic Centre, Southend-on-Sea on, **Thursday, 25th November, 2021 at 6.30pm** for the transaction of the following business.

A Lewis
Chief Executive

A G E N D A

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Communications**
- 4 Questions from Members of the Public**
- 5 Questions from Members of the Council**
- 6 Minutes of the Meeting of Council held on Thursday, 9 September 2021 (Pages 1 - 10)**
Minutes attached
- 7 Petition - Esplanade Gardens: Replacement of Paving Slabs with Tarmacadam (Pages 11 - 12)**
Prayer of the Petition attached
- 8 Minutes of the meeting of Appointments and Disciplinary Committee held on Wednesday, 8 September 2021 (Pages 13 - 14)**
Minutes attached
- 9 Minutes of the meeting of Health and Wellbeing Board held on Wednesday, 8 September 2021 (Pages 15 - 20)**
Minutes attached
- 10 Minutes of the meeting of Cabinet Committee held on Monday, 13 September 2021 (Pages 21 - 26)**
Minutes attached

- 11 **Minutes of the meeting of Cabinet held on Tuesday, 14 September 2021 (Pages 27 - 38)**
Minutes attached
- 12 **Minutes of the meeting of Appointments and Disciplinary Committee held on Monday, 20 September 2021 (Pages 39 - 40)**
Minutes attached
- 13 **Minutes of the meeting of Licensing Sub-Committee A held on Tuesday, 21 September 2021 (Pages 41 - 44)**
Minutes attached
- 14 **Minutes of the meeting of Cabinet Committee held on Tuesday, 21 September 2021 (Pages 45 - 46)**
Minutes attached
- 15 **Minutes of the meeting of Audit Committee held on Wednesday, 22 September 2021 (Pages 47 - 48)**
Minutes attached
- 16 **Minutes of the meeting of Place Scrutiny Committee held on Monday, 4 October 2021 (Pages 49 - 50)**
Minutes attached
- 17 **Minutes of the meeting of Appointments and Disciplinary Committee held on Tuesday, 5 October 2021 (Pages 51 - 52)**
Minutes attached
- 18 **Minutes of the meeting of People Scrutiny Committee held on Tuesday, 5 October 2021 (Pages 53 - 54)**
Minutes attached
- 19 **Minutes of the meeting of Development Control Committee held on Wednesday, 6 October 2021 (Pages 55 - 86)**
Minutes attached
- 20 **Minutes of the meeting of Appeals Committee B held on Thursday, 7 October 2021 (Pages 87 - 88)**
Minutes attached
- 21 **Minutes of the meeting of Policy and Resources Scrutiny Committee held on Thursday, 7 October 2021 (Pages 89 - 90)**
Minutes attached
- 22 **Minutes of the meeting of Special Place Scrutiny Committee held on Tuesday, 12 October 2021 (Pages 91 - 92)**
Minutes attached
- 23 **Notice of Motion - Lock Car Park Gates to Borough's Parks (Pages 93 - 94)**
Notice of Motion attached

- 24 Appointments to Committees, Outside Bodies etc.**
- 25 Opposition Business - Vecteo Contract Issues (Pages 95 - 96)**
Opposition Business attached

This page is intentionally left blank

Public Document Pack

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of The Council

6

Date: Thursday, 9th September, 2021

Place: Council Chamber - Civic Suite

Present: Councillor M Borton (Chair)
Councillors K Robinson (Vice-Chair), J Beck, B Beggs, M Berry, H Boyd, K Buck, L Burton, P Collins, J Courtenay, D Cowan, T Cowdrey, T Cox, M Davidson, A Dear, M Dent, F Evans, K Evans, N Folkard, D Garne, D Garston, S George, I Gilbert, S Habermel, T Harp, B Hooper, D Jarvis, A Jones, J Lamb, A Line, D McGlone, K Mitchell, A Moring, J Moyies, C Mulroney, D Nelson, C Nevin, L Salter, I Shead, M Terry, A Thompson, S Wakefield, C Walker, N Ward, J Warren, P Wexham and R Woodley

Start/End Time: 6.30 - 11.25 pm

297 Apologies for Absence

Apologies for absence were received from Councillors Bright, Buckley, Kelly and Stafford.

298 Declarations of Interest

- Councillor Buck

Development Control Committee – 21st July 2021

Application No. 21/00344/FUL - 23-29 Clarence Street, Southend-on-Sea – Non-pecuniary interest: Applicant is known to him;

Application No. 21/01133/FULH - 1 Highwood Close, Leigh-on-Sea – Disclosable Pecuniary Interest: Property owner and applicant (withdrew);

Cabinet Committee – 26th July 2021

Minute 211 (Update on Outstanding Schemes – Scheme No. 335 – Highway Close) – Non-pecuniary interest: lives in the road;

- Councillor Burton

Council – 9th September 2021

Minute 301 (Councillor questions) – Non-pecuniary interest: question/answer in relation to SEND school transport as a teacher;

- Councillor Cowan

Place Scrutiny Committee – 31st August 2021

Minute 241 (Hamlet Court Road proposed Conservation Area) – Non-pecuniary interest: lives in close proximity to the proposed area;

- Councillor Cowdrey

Development Control Committee – 1st September 2021

Application Ref No. 21/00604/FUL (Garages adjacent to 1 Shoebury Avenue, Shoeburyness – Non-pecuniary interest: relative lives across the road;

People Scrutiny Committee – 1st September 2021

Minute 259 (Questions from Members of the Public) – Non-pecuniary interest: Mentioned in the question to be presented at the meeting in the capacity of a former member of the Advisory Board of Healthwatch Southend;

- Councillor Davidson

Policy and Resources Scrutiny Committee – 2nd September 2021

Minute 272 (Anti-Poverty Strategy) – Non-pecuniary interest: Volunteer with Southend Foodbank;

- Councillor Dent

Development Control Committee – 1st September 2021

Application Ref No. 21/00220/FUL (613 to 619 and Garages to rear of 593 to 647 Southchurch Road) – Non-pecuniary interest: Contacted by residents about the application;

Council – 9th September 2021

Minute 305 (Opposition Business) – Non-pecuniary interest: Ambassador for White Ribbon which was mentioned;

- Councillor Folkard

People Scrutiny Committee – 1st September 2021

Minute 261 (Southend 2050: Annual Review and Refresh of Outcomes and Roadmap milestones), Minute 262 (Annual Public Health Report 2020/21) and Minute 263 (Corporate Risk Register) – Non-pecuniary interest: Ambassador for Fund Raising Team at Southend University Hospital; Daughter is Head of Nursing for Paediatrics across Mid and South Essex Hospitals;

- Councillor D Garston

Development Control Committee – 21st July 2021

Application Nos. 21/00289/FUL & 21/00416/LBC - Cockethurst, Eastwoodbury Lane, Eastwood – Non-pecuniary interest: Applicant known to him;
Application No. 21/01133/FULH - 1 Highwood Close, Leigh-on-Sea – Disqualifying non-pecuniary interest: Applicant is a fellow Councillor, Member of the Committee and a personal friend (withdrew);

- Councillor Harp

Licensing Committee – 16th August 2021

Minute 233 (Consultation on the Council's Statement of Gambling Licensing Policy) – Non-pecuniary interest: Has associations with SAVS which was mentioned in the report.

- Councillor Jones

Development Control Committee – 1st September 2021

Application Ref No. 21/00711/FULM (Land East of Fossets Way) – Non-pecuniary interest: Son is about to start as a Transport Assistant at the Council;

Policy and Resources Scrutiny Committee – 2nd September 2021

Minute 276 (Land at Prince Avenue) – Non-pecuniary interest: Vehicle manufacture mentioned in the debate on the item, husband is employed in the vehicle manufacture industry;

Council – 9th September 2021

Minute 300 (Public Questions) – Non-pecuniary interest: daughter attends school mentioned in the question/answer;

Minute 301 (Councillor questions) – Disclosable pecuniary interest: Her address is mentioned in regard to CCTV (withdrew);

- Councillor Lamb

Licensing Committee – 16th August 2021

Minute 233 (Consultation on the Council's Statement of Gambling Licensing Policy) – Non-pecuniary interest: Trustee of SAVS which was mentioned in the report.

- Councillor Line

Licensing Committee – 16th August 2021

Minute 233 (Consultation on the Council's Statement of Gambling Licensing Policy) – Non-pecuniary interest: Personal licence holder and has worked in a casino;

- Councillor Mitchell

Development Control Committee – 21st July 2021

Application No. 21/00344/FUL - 23-29 Clarence Street, Southend-on-Sea – Non-pecuniary interest: Has corresponded with residents on the planning application process.

Place Scrutiny Committee – 31st August 2021

Minute 241 (Hamlet Court Road Proposed Conservation Area) – Non-pecuniary interest: Member of Hamlet Court Road Community in Harmony;

- Councillor Nevin

Place Scrutiny Committee – 31st August 2021

Minute 241 (Hamlet Court Road Proposed Conservation Area) – Non-pecuniary interest: Member of Hamlet Court Road Community in Harmony;

People Scrutiny Committee – 1st September 2021

Minute 261 (Southend 2050: Annual Review and Refresh of Outcomes and Roadmap milestones) and Minute 262 (Annual Public Health Report 2020/21) – Non-pecuniary interest: Family members employed by Mid and South Essex (MSE) NHS Foundation Trust; previous association with MSE hospitals; employed at external NHS Trust;

Minute 263 (Corporate Risk Register) – Non-pecuniary interest: former employee at care homes with the Borough;

- Councillor Nelson

Council – 9th September 2021

Minute 305 (Opposition Business) – Non-pecuniary interest: Ambassador for White Ribbon which was mentioned;

- Councillor Salter

People Scrutiny Committee – 1st September 2021

Minute 261 (Southend 2050: Annual Review and Refresh of Outcomes and Roadmap milestones), Minute 262 (Annual Public Health Report 2020/21) and Minute 263 (Corporate Risk Register) – Non-pecuniary interest: Husband is a consultant surgeon at Southend Hospital; Daughter is a consultant at Basildon Hospital; Son-in-law is a GP in the Borough;

- Councillor Walker

Development Control Committee – 1st September 2021

Application Ref No. 21/00757/FUL (153 Rayleigh Road, Eastwood) and Application Ref No. 21/00758/ADV (153 Rayleigh Road, Eastwood) – Non-pecuniary interest: Shops at Rochford Corner

Development Control Committee – 21st July 2021

all Councillors declared a non-pecuniary interest in Application No. 21/01133/FULH - 1 Highwood Close, Leigh-on-Sea on the basis that the applicant was a fellow Councillor and member of the Committee.

299 Communications

Minutes Silence

The Council remained silent for one minute as a mark of respect to the victims of the 9/11 terror attack and to Brian Kelly, former Councillor and Mayor of Southend-on-Sea Borough Council in 2013/14, who sadly passed away recently.

300 Questions from Members of the Public

The relevant Cabinet Members responded to written questions received from the public.

301 Questions from Members of the Council

The relevant Cabinet Members responded to written and supplementary questions received from Councillors.

302 Minutes of the meeting of Extraordinary Council held on Monday, 12 July 2021

Resolved:-

That the Minutes of the Meeting held on Monday 12th July 2021, be confirmed as a correct record and signed.

303 Minutes of the meeting of Council held on Thursday, 15 July 2021

Resolved:

That the minutes of the meeting held on Thursday 15th July 2021, be confirmed and signed as a correct record.

304 Petition - Parking Permits Jena Close, Waterloo and Maya Close

Councillor Cox presented a petition containing 27 signatures from residents requesting Resident Parking Permits in Jena Close, Waterloo and Maya Close.

Resolved;

That in accordance with Council Procedure Rule 15.7 the petition be referred to the Cabinet Committee.

305 Opposition Business - Notices of Motion referred to Working Parties

In accordance with Standing Order 19 the Conservative Group requested that the following proposal be debated:

'To reverse the decision to refer all motions to the working parties and reinstate that all motions are referred direct to Cabinet.'

During consideration of the matter two amendments were proposed and seconded as follows:

Amendment 1:

To amend Standing Order 8.4 so that it reads:

'Motions of which notice has been duly given, shall be formally moved and seconded and shall thereupon stand referred to the relevant Cabinet Working Party, within two months of the Council meeting, for consideration and report who shall invite the mover and seconder of the motion in question to attend the meeting of the Cabinet Working Party at which the motion is considered and afford them an opportunity of explaining and commenting on the motion.'

Upon being put to the vote, amendment 1 was not carried.

Amendment 2:

To amend Standing Order 8.4 so that it reads:

'Motions of which notice has been duly given, shall be formally moved and seconded and shall thereupon stand referred to the relevant Scrutiny Committee, for consideration and report who shall invite the mover and seconder of the motion in question to attend the meeting of the Scrutiny Committee at which the motion is considered and afford them an opportunity of explaining and commenting on the motion.'

Upon being put to the vote, amendment 2 was not carried.

The Opposition Business proposal to 'reverse the decision to refer all motions to the working parties and reinstate that all motions are referred direct to Cabinet' was then put to the vote. The proposal was not carried.

Accordingly, resolved that no change be made to Standing Order 8.4.

306 Minutes of the meeting of Licensing Sub-Committee B held on Tuesday, 13 July 2021

Resolved:

That the minutes of this meeting, be noted.

307 Minutes of the meeting of Development Control Committee held on Wednesday, 21 July 2021

Resolved:

That the minutes of this meeting, be noted.

308 Minutes of the meeting of Cabinet Committee held on Monday, 26 July 2021

Resolved:

That the minutes of this meeting, be noted.

309 Minutes of the meeting of Cabinet held on Tuesday, 27 July 2021

Resolved:

That the minutes of this meeting, be noted and the recommendations contained in Minute 226 (Adoption of Highways Policies – recommendation 4), and Minute 228 (Feed and Food Service Plan 2021/22), be approved.

310 Minutes of the meeting of Licensing Committee held on Monday, 16 August 2021

Resolved:

That the minutes of this meeting, be noted.

311 Minutes of the meeting of Place Scrutiny Committee held on Tuesday, 31 August 2021

During consideration of Minute 241 (Hamlet Court Road Proposed Conservation Area) a motion to refer the matter back to Cabinet was proposed and seconded.

The motion to refer the matter back to Cabinet was not carried.

Resolved:

That the minutes of this meeting, be noted.

312 Minutes of the meeting of Development Control Committee held on Wednesday, 1 September 2021

Resolved:

That the minutes of this meeting, be noted.

313 Minutes of the meeting of People Scrutiny Committee held on Wednesday, 1st September 2021

Resolved:

That the minutes of this meeting, be noted.

314 Minutes of the meeting of Policy and Resources Scrutiny Committee held on Thursday, 2 September 2021

During consideration of Minute 276 (Land at Prince Avenue) a motion to refer the matter back to Cabinet was proposed and seconded.

The motion to refer the matter back to Cabinet was not carried.

Resolved:

That the minutes of this meeting, be noted.

315 Minutes of the meeting of Special Cabinet held on Tuesday, 7 September 2021

Resolved:

That the minutes of this meeting, be noted and the recommendations in Minute 281 (Southend 2050 Annual Review and Refresh of the Outcomes and Roadmap Milestones), be approved.

316 Notice of Motion - Censorship of Gabriella Hirst's 'An English Garden'

On the basis of legal advice the notice of motion could not be considered.

317 Notice of Motion - Bee Bus Stops and Green Roofs

Resolved:

That the Notice of Motion concerning Bee Bus Stops and Green Roofs be referred to the Environment, Culture, Tourism and Planning Working Party.

318 Appointments to Committees, etc

There were no changes or amendments to the appointments of Committees, etc.

319 Joanna Ruffle

The Worshipful the Mayor informed Councillors that Joanna Ruffle, Executive Director (Transformation) will be leaving the Council and this was her last Full Council meeting.

On behalf of the Council, I wish to express my appreciation and thanks to Joanna for her sterling work and excellent service and wish her all the very best for the future.

Chair: _____

This page is intentionally left blank

PETITION:

7

**Esplanade Gardens — SBC proposal to replace paving slabs
with tarmacadam**

We, the undersigned, strongly object to this proposals on the grounds that it would unnecessarily and adversely impact the overall amenity of the road, both in terms of street scene and, on an economic basis, future durability.

Whist acknowledging the Council's focus on Health and Safety considerations, our understanding is that Esplanade Gardens has a very respectable track record on that score, with any such H&S incidents being few and far between.

Additionally, using tarmacadam cannot bring a guarantee of a 'trouble-free' future, particularly when considering the way in which tarmacadam is but a temporary barrier to the spread of tree roots, the damage thereby caused, and the H&S repercussions this can entail.

Crucially, there is also the sustainability issue to be considered here, with the environmental cost of wholesale change to tarmacadam likely to have a significantly more deleterious impact than continuing use of paving slabs, which of course already exist and incur no 'travel costs'. Concrete slabs are also extremely durable and can last for at least 40 to 50 years. Compare this with tarmacadam which has a usual lifespan of about 25 years and you can see that concrete will ultimately cost less. Even if running repairs to slabs are required, we all consider this would be a more aesthetically pleasing, costeffective, environmentally-friendly, and long-term way forward.

This page is intentionally left blank

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Appointments and Disciplinary Committee

Date: Wednesday, 8th September, 2021

Place: Caxton Room - Tickfield Centre

8

Present: Councillor I Gilbert (Chair)
Councillors M Davidson, D Jarvis, C Mulrone, *T Harp, *C Nevin
and *L Salter

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: A Lewis, T Forster and S Putt
Also in attendance: M Bearn (Hays)

Start/End Time: 2.15 pm - 5.40 pm

293 Apologies for Absence

Apologies for absence were received from Councillors Cox (substitute: Cllr Salter), Woodley (substitute: Cllr Harp) and Cowan (substitute: Cllr Nevin).

294 Declarations of Interest

There were no declarations of interest at this meeting.

295 Exclusion of the Public

Resolved:

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the item of business set out below, on the grounds that it would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

296 Appointment of Director Adult Services - Interviews

The Committee interviewed candidates for the post of Director of Adult Services.

Resolved:

1. That, subject to the provisions of the Local Authorities Standing Orders (England) Regulations 2001 as incorporated in paragraph 5 of the Council's Officer Employment Procedure Rules, the post of Director of Adult Services be offered to Stephan Liebrecht.

2. That the Chief Executive be authorised to offer the post outlined in 1 above to the candidate upon confirmation by the Leader that neither he nor any Cabinet Member has any objection to the making of such an offer.

Chair: _____

This page is intentionally left blank

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Health & Wellbeing Board

Date: Wednesday, 8th September, 2021

Place: Council Chamber - Civic Suite

9

Present: Councillor C Nevin (Chair)
Dr J Garcia-Lobera (Vice-Chair),
Councillors S Buckley, M Davidson, T Harp, J Moyies and
C Mulronev
T D'Orsi, K Jackson, M Marks, T Forster, O Richards.

In Attendance: Councillor L Salter (observer – People Scrutiny Committee Chair)
R Harris and J Banks

Start/End Time: 6.30 pm - 8.30 pm

282 **Apologies for Absence**

Apologies for absence were received from Councillor Buckley, J Gardner, T D'Orsi, M Marks, Y Blucher, P Scott, S Dolling, A Khaldi.

283 **Declarations of Interest**

The following declarations of interest were made:

(a) Cllr Harp – Minute 291 (A Better Start Southend Update) – Non-pecuniary interest: wife is employed by SAVS and he is a volunteer with SAVS; family friend employed in senior role at ABSS;

(b) Cllr Nevin – Minute 287 (Pandemic Updates) and Minute 289 (ICS Boundary Progress Update) – Non-pecuniary interest: Employed at external NHS Trust; previous employment at Broomfield and Southend Hospitals; family members employed at Mid and South Essex Trust hospitals and in the Trust's Estates Department; Group Director for Pathology at Mid and South Essex NHS Foundation Trust known to the Councillor through previous employment.

(c) Cllr Salter – Minute 287 (Pandemic Updates) and Minute 289 (ICS Boundary Progress Update) – Non-pecuniary interest: Husband is consultant surgeon at Southend Hospital; daughter is a consultant at Basildon Hospital; son-in-law is GP in the Borough;

284 **Public Questions**

There were no public questions at this meeting.

285 Minutes of the Meeting held on Wednesday 9 June 2021

Resolved:-

That the Minutes of the Meeting held on Wednesday 9th June 2021, be confirmed as a correct record and signed.

286 Health and Wellbeing Strategy 2021-2024

The Board considered a report of the Director of Public Health presenting the new Health and Wellbeing Strategy covering three years (2021-2024) and the high level Action Plan.

The Board asked a number of questions which were responded to by officers.

In consideration of the report the Board commented on the priorities set out in the Strategy and referred to specific areas within the 2021/22 high level action plan. The Director of Public Health advised that the Strategy, as well as the high-level action plan, was a 'living' document and will evolve and adapt to ensure it aligns as appropriate to any emerging priorities or issues of concern.

The Board was informed that the Joint Strategic Needs Assessment (JSNA) was currently being refreshed and would be submitted to the Board in December 2021.

The Director of Public Health confirmed that the Annual Public Health Report has been published and is available at <https://www.southend.gov.uk/health-wellbeing/director-public-health-annual-report>.

The Director of Public Health drew attention to the next steps on refreshing the Pharmacy Needs Assessment (PNA) and a report would be provided to the Board in December.

Resolved:

That the new Health and Wellbeing Strategy 2021-24, which will be delivered through an annually updated Action Plan, be endorsed.

287 Pandemic Updates

The Board considered a report of the Director of Public Health presenting an update on the COVID-19 Local Outbreak

Management Plan implementation of the national Test, Trace and Isolate programme.

The Board asked a number of questions which were responded to by the Director.

In consideration of the report the Board made reference to the development/production of the Vaccine Hesitancy Plan and the Director advised that this would be circulated to the Board members once finalised.

Resolved:

That the progress and ongoing implementation of the Local Outbreak Management Plan by the Local Health Protection Board and the Outbreak Control Oversight and Engagement Board, be noted.

288 Drug and Alcohol Treatment System Tender

The Board considered a report of the Executive Director (Adults and Communities) setting out the commissioning intentions for the Drug and Alcohol Treatment System contract from 1st April 2022 and the actions taken in relation to the Rough Sleeping Drug and Alcohol Treatment Grant issued by Public Health England from January 2021.

Resolved:

That the intended commissioning plan for the Drug and Alcohol Treatment System, be noted.

289 ICS Boundary Progress Update

The Board received an update from the Executive Director (Adults and Communities) on the Integrated Care System Boundary Review and associated matters.

The Board noted that there will be no boundary change and will continue as Mid and South Essex and that significant work was taking place on developing the governance arrangements. The Board also noted that guidance on the Integrated Care Partnership was due to be published shortly.

Resolved:

That the ICS Boundary Review update, be noted and that representative(s) from the Mid and South Essex ICS Team be invited to the December Board meeting.

290 Southend Healthwatch Update

The Board received a PowerPoint presentation from the Strategic Manager, Healthwatch Southend setting out the legal framework and key aspects of the work of Healthwatch Southend.

The Board asked a number of questions which were responded to by the Strategic Manager.

Resolved:

That the PowerPoint presentation on Healthwatch Southend, be noted.

291 A Better Start Southend Update

The Board considered a report from the Director, A Better Start Southend (ABSS), presenting an update from the Chair of ABSS on key developments since the last meeting.

The Board asked a number of questions which were responded to by the Director, ABSS.

Resolved:

1. That the report, be noted.
2. That the ABSS Legacy and Sustainability Strategy and Evidence of Impact of the ABSS Programme be a substantive agenda item at the December Board meeting.

292 Better Care Fund

The Board considered a report of the Executive Director (Adults and Communities) seeking approval of a Section 75 Partnership Agreement between Southend-on-Sea Borough Council and the Southend Clinical Commissioning Group for the management of the Better Care Fund (BCF) for the period 2020-2023. The report also outlined the BCF national policy framework for 2021/22 with funding priorities and conditions in preparation for further guidance and templates and submission of a local BCF plan for Southend, which are expected to be issued by NHS England by October 2021.

The Board asked a number of questions which were responded to by the Director of Commissioning.

In consideration of the report the Board noted that, following the publication of the detailed guidance and reporting templates for 2021-22, a Southend Better Care Fund Plan would need to be completed and approved by the Board and submitted to NHS England.

Resolved:

That the proposed Section 75 Agreement for the management of the Better Care Fund, noting that the schedules to the agreement relating to the Better Care Fund Plan for 2021-22 will need to be updated once the detailed guidance is issued from NHS England, expected by October 2021, be approved.

Chair: _____

This page is intentionally left blank

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet Committee

Date: Monday, 13th September, 2021

Place: Council Chamber - Civic Suite

10

Present: Councillor R Woodley (Chair)
Councillors P Collins (Vice-Chair) and C Nevin

In Attendance: Councillors M Berry, K Buck, D Cowan, T Cox, N Folkard, D Garston,
S Habermel, B Hooper, J Moyies, S Wakefield and C Walker
S Harrington, T Row and D Woska

Start/End Time: 6.30 pm - 8.50 pm

320 Apologies for Absence

There were no apologies for absence.

321 Declarations of Interest

The following interests were declared at the meeting:

(i) Councillor Buck – Minute No. 324 (Update on Outstanding Schemes – No. 335 Highwood Close – Non-pecuniary interest: Lives in the road;

(ii) Councillor Cox – Minute No. 324 (Update on Outstanding Schemes – No. 215 Radar Close – Non-pecuniary interest: Colleague lives in the road;

(iii) Councillor Folkard – Minute No. 323 (Traffic Regulation Order Objection Report - Junction protection in Hayes Barton) – Non-pecuniary interest: Lives in the road;

(iv) Councillor Habermel – Minute No. 323 (Traffic Regulation Order Objection Report – Thorpe Bay Gardens) – Disqualifying Non-pecuniary interest: Family member lives in the section of road affected (withdrew);

(v) Councillor Hooper – Minute No. 323 – (Traffic Regulation Order Objection Report - Junction Protection in Eaton Road: Lives in the road;

(vi) Councillor Moyies – Minute No. 323 (Traffic Regulation Order Objection Report - Junction protection in Malmsmead) – Non-pecuniary interest: Lives in the road;

(vii) Councillor Nevin – Minute No. 323 (Traffic Regulation Order Objection report - Junction protection in Flemming Crescent) – Non-pecuniary interest: Lives in the road; and

(viii) Councillor Woodley – Minute No. 323 (Traffic Regulation Order Objection Report – Thorpe Bay Gardens) – Non-pecuniary interest: Resident of the Burges Estate.

322 Minutes of the Meeting held on Monday, 26th July, 2021

Resolved:-

That the Minutes of the meeting held on Monday, 26th July 2021 be received, confirmed as a correct record and signed.

323 Traffic Regulation Order Objection Report

The Cabinet Committee received a report of the Executive Director (Neighbourhoods and Environment) that presented the representations that had been received in response to the statutory consultation for traffic regulation orders for the introduction of waiting restrictions in the sections of road set out in the Appendices to the submitted report.

The report sought the Cabinet Committee's approval on the way forward in respect of these proposals, after having considered the views of the Traffic Regulations Working Party, following consideration of all the representations that had been received in writing and at the meeting.

The Cabinet Committee noted that whilst the extent of the proposed waiting restrictions in the form of junction protection was not specified, the default length for junction protection was 10 metres. The Cabinet Committee, however, noted the views of the Traffic Regulations Working Party that there may be instances where the length of the junction protection could be reduced to reduce the impact on parking availability whilst maintaining clear and safe sight lines and visibility. On such location was Walker Drive at its junction with Henry Drive, where it was felt that the length of restriction in Walker Drive should be reduced to 5 metres rather than 10 metres.

The Cabinet Committee also noted the views of the Traffic Regulations Working Party in relation to the proposed waiting restriction in Crosby Road. It felt that the restrictions set out in the advertised draft traffic regulation order would retain some parking availability whilst maintaining the safe and efficient use of the highway.

With reference to the proposals for Thorpe Bay Gardens, the Cabinet Committee was reminded that issue relating to the Covenant, as explained at its meeting on 10th June 2021 (Minute 49 refers), was not relevant when determining highway waiting restrictions. The Council should act only in its capacity as Highways Authority in accordance with its powers to regulate the use of the highway in accordance with the Highways Act 1980 and the Road Traffic Regulation Act 1984, and not in its capacity as landowner.

Having considered the views of the Traffic Regulations Working Party it was:-

Resolved:-

1. That final confirmation of the draft traffic regulation order PTO1009 introducing waiting restrictions in the form of junction protection at various locations within the Borough be delegated to the Executive Director (Neighbourhoods and Environment) in consultation with the Cabinet Member for Transport, Asset management and Inward Investment, following discussion with the relevant Ward

Members on the extent of the junction protection to be implemented at each location. The default length of the restrictions is a maximum length of 10 metres. The length of waiting restrictions in Walker Drive shall be reduced to 5 metres each side of Henry Drive.

2. That, as specified in Appendix A to the submitted report, a further review of the proposals be undertaken where alternative proposals have been suggested by residents and revised options be submitted to a future meeting of the Traffic Regulation Working Party and Cabinet Committee where appropriate.

3. That Traffic Regulation Order PTO1010 introducing no waiting restrictions from 1.00 p.m. to 3.00 p.m. Mondays to Fridays in the sections of Crosby Road specified in Appendix B to the submitted report be confirmed as advertised and that a review of the effect of the scheme be undertaken 6 months after implementation.

4. That, in relation to Traffic Regulation Order PTO1011 introducing various waiting restrictions at various locations within the Borough, the following be approved:

(i) The following proposals be implemented as advertised:

- Ringwood Drive – no waiting at any time on both sides on the bend outside no. 26-28;
- Barnstable Close – no waiting both sides Mondays to Fridays between 2.00 p.m. to 3.00 p.m. ; and
- Thames Close – no waiting at any time both sides along its entire length.

(ii) That the following proposals not be progressed:

- Seaview Road;
- Thames Close – one hour restrictions; and
- Bunters Avenue.

(iii) That the following scheme proposals be reviewed and reported to a future meeting of the Traffic Regulations Working Party and Cabinet Committee, as appropriate:

- Scarborough Drive - opposite No.10;
- London Road – north-side between Scarborough Drive and Madeira Drive;
- London Road – both sides between the Synagogue on the north and No. 817 (Gainsborough Carpets);
- Scarborough Drive – replacement of bay opposite the side of Fortune Gardens takeaway;
- London Road – outside No. 1163;
- Seaview Road – on the whole west-side with the exception of outside No.24 Broadway and as junction protection on the east-side;
- Access Road of Alexandra Street behind Nos. 59-67;
- Rampart Street – south-side west of John Street; and
- Bunters Avenue turning head.

(iv) That the proposals relating to Sairard Gardens be reported to the next meeting of the Traffic Regulations Working Party and Cabinet Committee as appropriate, for the reasons detailed.

(v) That the proposals relating to Maya Close between Ness Road and Jena Close be deferred pending a review of the scheme and be considered in conjunction with the petition recently received requesting the introduction of a residents' parking scheme.

(vi) That the proposals for London Road/Scarborough Drive not be progressed at this time and that a revised scheme be prepared for consultation.

5. That Traffic Regulation Order PTO1012 Thorpe Bay Gardens Proposed Waiting Restrictions be confirmed as advertised and the proposals implemented.

Reasons for Decision

As set out in the submitted report

Other Options

As set out in the submitted report

Note: This is an Executive function

Cabinet Member: Councillor Woodley

***Called-in to Place Scrutiny Committee**

324 Update on Outstanding Schemes

The Cabinet Committee received a report of the Executive Director (Neighbourhoods and Environment) that presented an update on the progression of traffic regulation order requests in respect of various proposed waiting restrictions and schemes by Ward.

In response to questions, the Council's Head of Traffic & Highways undertook to provide an update to Ward Councillors on the following schemes:

- the progress of scheme No. 216 regarding the reduction of waiting restrictions in Earls Hall Avenue; and
- scheme No. 263 regarding the introduction of waiting restrictions, the relocation of the parking bay for disabled persons and unrestricted parking bays in Lundy Close.

With reference to scheme No. 216 regarding the introduction of junction protection in Radar Close, the Council's Head of Traffic & Highways gave assurances that the junctions of other roads in the estate would be reviewed and included in tranche 3 of the scheme.

Resolved:-

That the report be noted and that any schemes missing from the list at Appendix 1 to the submitted report or any new schemes be forwarded to the relevant service area by email to traffweb@southend.gov.uk

Reason for Decision

As set out in the submitted report.

Other Options

As set out in the submitted report.

Note: This is an Executive function
Cabinet Member: Councillor Woodley

Chair: _____

This page is intentionally left blank

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet

11

Date: Tuesday, 14th September, 2021

Place: Council Chamber - Civic Suite

- Present:** Councillor I Gilbert (Chair)
Councillors R Woodley (Vice-Chair), L Burton, P Collins, A Jones,
C Mulroney and C Nevin
- In Attendance:** A Lewis, J Williams, J Chesterton, A Eastgate, T Forster, A Richards,
L Doe, J O'Loughlin, B Martin, C Thomas, S Newman and C Gamble.
- Start/End Time:** 2.00 pm - 3.25 pm

325 Apologies for Absence

Apologies for absence were received from Councillor Terry.

326 Declarations of Interest

There were no interests declared at the meeting.

327 Minutes of the meeting held on Monday 5 July, 2021

Resolved:

That the minutes of the meeting held on Monday 5th July 2021, be confirmed and signed as a correct record.

328 Minutes of the Meeting held on Tuesday 27 July, 2021

Resolved:

That the Minutes of the Meeting held on Tuesday 27th July 2021, be confirmed as a correct record and signed.

329 Minutes of the meeting held on Tuesday 7 September, 2021

Resolved:

That the minutes of the meeting held on Tuesday 7th September 2021, be confirmed and signed as a correct record.

330 **Resourcing Better Outcomes - Financial Performance Report for July 2021 (Period 4)**

The Cabinet considered a report of the Executive Director (Finance and Resources) reviewing the Council's financial performance.

Recommended:

That, in respect of the 2021/22 Revenue Budget Performance, as set out in Appendix 1 to the submitted report:

1. That the forecast outturn for the General Fund and the Housing Revenue Account as at July 2021, be noted.
2. That the planned budget transfers (virements) of £1,174,050 from earmarked reserves, be approved.

That, in respect of the 2021/22 Capital Budget Performance, as set out in Appendix 2 to the report:

3. That the expenditure to date and the forecast outturn as at July 2021 and its financing, be noted.
4. That the requested changes to the capital investment programme for 2021/22 and future years, as set out in section 3 of Appendix 2 to the report, be approved.

Reasons for decisions:

The regular reporting of Revenue and Capital Budget Monitoring information provides detailed financial information to Councillors, senior officers and other interested parties on the financial performance of the Council. It sets out the key variances being reported by budget holders and the associated management action being implemented to address any identified issues. It also informs decision making to ensure that the Council's priorities are delivered within the approved budget provision.

Other options:

The Council could choose to monitor its budgetary performance against an alternative timeframe but it is considered that the current reporting schedule provides the appropriate balance to allow strategic oversight of the budget by Councillors and to also formally manage the Council's exposure to financial risk.

Note: This is a Council Function
Eligible for call-in to: Policy and Resources Committee
Executive Members: Cllrs Gilbert and Collins

331 Southend 2050 - Outcome Success Measures Report

The Cabinet considered a report of the Chief Executive on the first period of the Southend 2050 Outcome Success Measures for 2021/22, covering 1 April to 30 June 2021.

Resolved:

That the Southend 2050 Outcome Success Measures for 2021/22 period 1 performance, be noted.

Reasons for decision:

To drive the delivery of the Southend 2050 ambition through robust and strategic performance management arrangements and to ensure the Council is clear on prioritised milestones to achieve the desired outcomes, focusing on response to the pandemic, economic recovery and sustainability, including financial, environmental and transformation as an organisation.

Other options:

Not to review the Council's current ambition and desired outcomes. This would mean failing to set out the huge impact the crises have had on the Borough, its people and the Council and its approach to recovery. The Council has committed to undertake an annual review of the outcomes and milestones.

Note: This is an Executive Function

Eligible for call-in to: All three Scrutiny Committees

Cabinet Member: Cllr Gilbert

332 Unaccompanied Asylum-Seeking Children

The Cabinet considered a report of the Executive Director (Children and Public Health) setting out the current crisis in Kent and proposed that 0.07% (27) of the child population in Southend are accepted as Unaccompanied Asylum-Seeking Children (UASC), which is in line with other local authorities and the practice in Southend since 2016.

Resolved:

1. That Southend-on-Sea take 0.07% (27) UASC of the child population.
2. That Southend-on-Sea take two UASC per month until it reaches 0.07% (27), because of the high numbers of UASC numbers coming in through Kent.
3. That a 1 year temporary funding increase upfront of £122,000 to fund an additional Social Worker post and 2 Personal Assistants to work with the expected increase of UASC children, noting that where additional income will be received for the additional UASC placements, if placement costs can be sustained within the additional income a proportion of this cost will be mitigated, be approved.

4. That the funding pressures in relation to support and placement cost of UASC and that this position will continue to be closely monitored and reviewed, be noted.

Reasons for decision:

1. Southend has a responsibility to support these vulnerable young people and assist our colleagues - there is some capacity in the system to accommodate taking 20+ UASC.

2. To be able to manage this influx of UASC as well as supporting them potentially up to the age of 25, additional resources will be required by way of a social worker and Personal Advisors (x2).

Other options:

1. To not offer support to colleagues in Kent and refuse to participate in the national voluntary National Transfer scheme (NTS). This is not recommended as it would be neglecting a national responsibility to support vulnerable young people that needs to be shared across all areas. If the voluntary NTS is not successful, then central government may mandate the scheme.

2. Participate in the voluntary National Transfer Scheme – this option is likely to overtake the offer of support, given the expected numbers awaiting transfer and the fact that there is capacity in Southend and the Eastern Region.

Note: This is an Executive Function

Eligible for call-in to: People Scrutiny Committee

Cabinet Member: Cllr Burton

333 Selective Licensing

The Cabinet considered a report of the Interim Executive Director (Growth and Housing) providing an update on the work underway to prepare for the implementation of the Selective Licensing scheme within neighbourhoods in the Milton, Kursaal, Victoria and Chalkwell wards.

Resolved:

1. That the financial details of the scheme, as outlined in the financial implications in Section 7 of the submitted report, be noted.

2. That the proposed discounts for the scheme including the early bird period of four months (December 2021 to March 2022) to promote early compliance as stated in paragraph 7.2 of the report, be noted.

Reasons for decision:

To complete the next preparatory stage of the Selective Licensing scheme ahead of the implementation date of 1st December 2021 for Milton, Kursaal, Victoria and Chalkwell wards.

Other options:

None

Note: This is an Executive Function

Called-in to: Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Gilbert

334 Southend Borough Council - Southend Care Ltd Partnership Agreement

The Cabinet considered a report of the Executive Director (Adults and Communities) presenting an update on progress with the development of a ten-year Partnership Agreement and contract between Southend Borough Council and Southend Care Ltd.

Resolved:

That the Partnership Agreement, set out at Appendix 1 to the submitted report, noting that the Agreement will be included as part of a new ten-year contract for services provided by Southend Care Ltd, be approved.

Reasons for decision:

The Partnership Agreement creates a shared vision and a set of principles which will build on the Council's relationship and allow Southend Care Ltd to become more commercially focused in its approach whilst remaining true to the values that have informed its development to date.

Other options:

None

Note: This is an Executive Function

Eligible for call-in to: People Scrutiny Committee

Cabinet Member: Cllr Nevin

335 Draft Parking Strategy

The Cabinet considered a report of the Executive Director (Neighbourhoods and Environment) presenting the draft Parking Strategy for external consultation with local residents, businesses and other key stakeholders.

Resolved:

1. That consultation on the draft Parking Strategy, set out at Appendix A to the submitted report, be approved.

2. That the results of the consultation and parking implementation plan be presented to Cabinet in early 2022 for approval.

Reasons for decision:

To undertake consultation on the draft Parking Strategy.

Other options:

None.

Note: This is an Executive Function
Eligible for call-in to: Place Scrutiny Committee
Cabinet Member: Cllr Woodley

336 Domestic Abuse Act 2021 Implementation Strategy

The Cabinet considered a report of the Executive Director (Neighbourhoods and Environment) setting out the work undertaken to date on the Domestic Abuse Implementation Strategy to comply with the new statutory obligations which became law through the Domestic Abuse Act 2021 in April this year.

Resolved:

1. That the submitted report, be noted.
2. That the Implementation Strategy set out at Appendix 1 to the submitted report, be approved.
3. That the Implementation Strategy be reviewed within a 12 month period.
4. That the Community Safety Partnership be the appropriate governing Partnership Board for Domestic Abuse.

Reasons for decision:

To comply with the statutory obligations of the Domestic Abuse Act 2021.

Other options:

None.

Note: This is an Executive Function
Eligible for call-in to: Policy and Resources Scrutiny Committee
Cabinet Member: Cllr Jones

337 Conservation Area Appraisals

This item was deferred to the special meeting of Cabinet to be held on 18th October 2021.

338 City Status Application

The Cabinet considered a report of the Interim Executive Director (Growth and Housing) seeking approval to the preparation and submission of a bid for City Status, for the Borough of Southend-on-Sea, as part of the Platinum Jubilee Civic Honours Competition.

Resolved:

That the preparation and submission of a City Status bid for the Borough of Southend-on-Sea, as part of the Platinum Jubilee Civic Honours Competition, be approved.

Reasons for decision:

To make an application for City Status in recognition, not only of Southend-on-Sea's rich heritage and what the Borough has to offer now as a 'city by the sea', but also its shared future ambition and the city it aspires to become. Securing City Status brings with it prestige, standing and an opportunity to lever investment.

Other options:

Not to pursue the preparation and submission of a bid for City Status. This would prevent the Council from applying as applications must be made by the relevant Local Authority.

Note: This is an Executive Function

Eligible for call-in to: Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Gilbert

339 School Admissions Arrangements for Community Schools

The Cabinet considered a report of the Executive Director (Children and Public Health) setting out the admission arrangements for community schools for the academic year, and the Coordinated Admissions Scheme for 2023/24.

Resolved:

1. That the Admissions Arrangements for Community Schools for the academic year 2023/24, as set out in Appendix 1 to the submitted report, be approved.
2. That consultation with governing bodies of community schools takes place on the published admission number (PAN) for community infant, junior and primary schools for September 2023, as set out in the Admission Arrangements in Appendix 1 to the report.
3. That the proposed Coordinated Admissions Scheme for 2023/24 onwards, as set out in Appendices 2 and 3 of the report, with any changes after School Governor consultation to be ratified by the Executive Director (Children and Public Health) in December, be approved for publication as required by law by 1st January 2022.
4. That the relevant area for schools be reviewed and approved as follows: Southend, Castle Point and Rochford for the years 2023 and 2024.

Reasons for decision:

The Council is required to publish the Co-ordinated Admissions Scheme 2023/24 by 1st January 2022 and to consult the Governing Bodies of community schools as required for increased or unchanged PAN's.

Other options:

The Council could change the admission arrangements for the community/local authority maintained schools. However, this would add undue pressure on a small number of local schools for 2023, where no need for change has been identified.

Note: This is an Executive Function
Eligible for call-in to: People Scrutiny Committee
Cabinet Member: Cllr Burton

340 Information Governance Update

The Cabinet considered a report of the Executive Director (Legal and Democratic Services) providing a summary of the Council's key actions concerning information governance and management during 2020/21.

Resolved:

1. That the Senior Information Risk Owner (SIRO) Annual Report 2020/21 on Information Governance, be noted.
2. That the key actions taken during 2020/21 and the opportunities and challenges for 2021/22, be noted.

Reasons for decision:

To ensure that the Council holds personal data securely, disseminates information effectively and is transparent and enabling in its handling of information and operates within the necessary legal framework.

Other options:

It is a requirement of the Council's Information Management Strategy that an annual report is made to Councillors.

Note: This is an Executive Function
Eligible for call-in to: Policy and Resources Scrutiny Committee
Cabinet Member: Cllr Gilbert

341 Regulatory of Investigatory Powers Act (RIPA)

The Cabinet considered a report of the Executive Director (Legal and Democratic Services) reporting on the use of powers available to the Council under the Regulation of Investigatory Powers Act 2000 (RIPA) during the financial year 2020/21.

Resolved:

1. That it be noted that the Council has used the surveillance powers available to it under RIPA on one occasion during the period 1 April 2020 to 31 March 2021, but it has not used any covert human intelligence source (CHIS).
2. That the staff training undertaken in 2020/21 and proposed for 2021/22 in connection with RIPA, be noted.
3. That the details of the regulation of CCTV activities as set out in the submitted report, be noted.

Recommended:

4. That minor amendments be made to Section 5.1 of the Delegation Scheme in Part 3, Schedule 3 of the Constitution, as set out in the submitted report. ||

Reason for decision:

To comply with the Home Office Codes of Practice and IPCO Guidance on RIPA.

Other options:

None.

Note: This is an Executive Function save that the Recommendation in 4 above constitutes a Council Function.

Eligible for call-in to: Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Gilbert

342 Treasury Management Report - Quarter One

The Cabinet considered a report of the Executive Director (Finance and Resources) on the treasury management activity for the period from April to June 2021.

Resolved:

1. That the Treasury Management report for quarter one 2021/22, be approved.
2. That it be noted that the treasury management activities were carried out in accordance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management in the public sector during the period from April to June 2021.
3. That it be noted that the loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.
4. That it be noted that £0.376m of interest and income distributions for all investments were earned during this three month period at an average rate of 0.97%. This is 1.05% over the average 7 day LIBID (London Interbank Bid

Rate) and 0.87% over the average bank rate. Also the value of the externally managed funds increased by a net of £0.734m due to changes in the unit price, giving the combined overall return of 2.85%.

5. That it be noted that the level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1st April 1998) remained at £310.3m (HRA: £75.0m, GF: £235.3m) during the period April to June 2021.

6. That it be noted that during the quarter the level of financing for 'invest to save' schemes decreased from £8.53m to £8.52m.

Reasons for decision:

The CIPFA Code of Practice on Treasury Management recommends that Local Authorities should submit reports regularly. The Treasury Management Policy Statement for 2021/22 set out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation.

Other options:

There are many options available for the operation of the Treasury Management function, with varying degrees of risk associated with them. The Treasury Management Policy aims to effectively control risk to within a prudent level, whilst providing optimum performance consistent with that level of risk.

Note: This is an Executive Function

Eligible for call-in to: Policy and Resources Scrutiny Committee

Cabinet Member: Cllr Collins

343 Council Debt Management Position

The Cabinet considered a report of the Executive Director (Finance and Resources) on the current position of outstanding debt to the Council, as at 31st July 2021.

Resolved:

1. That the current outstanding debt position on 31st July 2021 and the position of debts written off to 31st July 2021, as set out in Appendices A and B to the submitted report, be noted.

2. That the three write offs for debts exceeding £25,000, as set out in Appendix B to the report, be approved.

Reasons for decision:

All reasonable steps to recover the debt have been taken, and therefore where write off is recommended it is the only course of action that is left available.

If the Council wishes to pursue debts for bankruptcy proceedings, it will follow the agreed and published recovery policy that covers this.

Other options:

None

Note: This is an Executive Function

Eligible for call-in to: Policy and Resources Scrutiny Committee

Executive Member: Cllr Gilbert

Chair: _____

This page is intentionally left blank

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Appointments and Disciplinary Committee

Date: Monday, 20th September, 2021
Place: Committee Room 4a - Civic Suite

12

Present: Councillor I Gilbert (Chair)
Councillors R Woodley (Vice-Chair), D Cowan, T Cox, M Davidson,
D Jarvis and *P Collins

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: S Putt, A Lewis, M Bearn (Hays)

Start/End Time: 1.30 pm - 3.30 pm

344 Apologies for Absence

Apologies for absence were received from Councillor Mulroney (substitute: Cllr Collins).

345 Declarations of Interest

There were no declarations of interest at this meeting.

346 Exclusion of the Public

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

347 Planning for the Recruitment of Chief Executive

The Committee considered a report of the Executive Director (Transformation) setting out a proposed timetable for the recruitment of the Chief Executive post and the arrangements for interim Deputy Chief Executive for consideration.

Resolved:

1. That the report prepared by Hays Executive, with a revised timeline, to the submitted report, setting out the proposals when to commence recruitment for the Chief Executive post, be approved.

2. That the inclusion of a Young Persons stakeholder panel in all Director recruitment in the future, be approved.

3. That the interim arrangements for the Deputy Chief Executive role, as set out in the submitted report, be approved.

348 Director of Planning - Interview: Internal Candidate TS

The Committee interviewed the candidate for the post of Interim Director of Planning. This was a 'development' interview as this was the only candidate for the post.

Resolved:

1. That, subject to the provisions of the Local Authorities Standing Orders (England) Regulations 2001 as incorporated in paragraph 5 of the Council's Officer Employment Procedure Rules, the post of Interim Director of Planning, be offered to Trevor Saunders.

2. That the Chief Executive be authorised to offer the post outlined in 1 above to the candidate upon confirmation by the Leader that neither he nor any Cabinet Member has any objection to the making of such an offer.

Chair: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Licensing Sub-Committee A

Date: Tuesday, 21st September, 2021

Place: Virtual Meeting via MS Teams

13

Present: Councillor K Mitchell (Chair)
Councillors T Cowdrey and T Harp

In Attendance: A Brown, T Row, P Richards, M Newton, T Bahannack and E Cook

Start/End Time: 10.00 am - 11.45 am

349 Apologies for Absence

There were no apologies for absence.

350 Declarations of Interest

No interests were declared at the meeting.

**351 Just A Bevy Ltd, 1745 London Road, Leigh-On-Sea, Essex, SS9 2SW -
Application to Vary a Premises Licence**

The sub-committee received a report of the Executive Director (Neighbourhoods and Environment) concerning an application by Just A Bevy Ltd for the variation of the premises licence at Just A Bevy Ltd, 1745 London Road, Leigh-On-Sea, Essex, SS9 2SW. The application sought to vary the existing hours to permit the supply of alcohol from Mondays to Sundays (inclusive) 00:00 – 24:00 hrs (24 hours a day), 7 days a week.

The application was presented by Ms Gill Sherratt (Licensing Consultant). Ms Sue Ellis and Mr Amir Khan (Business Owners) were in attendance at the meeting and gave evidence.

At the outset of the meeting, the Council's Licensing Officer explained that there had been an amendment to the report of the Executive Director (Neighbourhoods and Environment). This related to the wording of one of the conditions set out in Appendix 3 of the submitted report and should have been removed following discussion with the Licensing Authority. The wording of the condition related to the sale of alcohol being by way of a pre-order delivery service only. This was an error as the application form clearly stated that the store would also be open for trade during that time as staff will be on duty in any event to satisfy the delivery orders. There had been no concerns or representations by any of the Responsible Authorities regarding this.

In response to the amendment, the Applicant suggested that the wording of the condition could be amended to read "All alcohol sold via the delivery service will be by pre-order only."

The sub-committee noted that representations to this application had been received from the Council's Environmental Health Team, but these representations were withdrawn following discussions with the Applicants and the imposition of appropriate measures should the application be granted. These were set out in Appendix 4 to the report of the Executive Director (Neighbourhoods and Environment).

4 (four) representations were received from local residents, objecting to the application. 2 (two) of the objectors, namely Mr Harvey and Ms Sivalingamrajah attended the meeting and gave evidence. Their objections/representations related to two of the licensing objectives, namely the prevention of crime and disorder and the prevention of public nuisance. The objectors' concerns are summarised as primarily being the potential for crime and disorder and anti-social behaviour from intoxicated persons, including drugs, congregating in the area at all hours, particularly in the church nearby and the car park in close proximity to the premises. The extension to the hours sought to sell alcohol would attract more undesirable people to the area and may encourage excessive drinking and the problem associated with it. The ability of the police to deal with such matters, whilst already being overstretched, was also raised.

Whilst acknowledging the concerns of the residents, the sub-committee noted that the premises had been operating as a convenience store 24 hours daily with a delivery service since March 2020, albeit with a restriction limiting the sale of alcohol off the premises to between 07:00 hrs to 23:00 hrs daily. There had been no reports of any such incidents nor complaints regarding the premises during this time. The sub-committee was also mindful that there had been no evidence submitted to support these concerns nor that any such incidents could be attributed to the premises. The sub-committee was informed that the owners of the business had extensive experience in managing other premises that were licensed to sell alcohol 24 hours daily and no complaints or concerns had been made against them. Additionally, each of the Responsible Authorities are experts in their respective field (paragraph 9.12 of the Revised Guidance issued under section 182 of the Licensing Act 2003 refers). The Police had not raised any objection to the application and Environmental Health had withdrawn their representation on the basis that a condition had been agreed with the Applicants should the application be granted. Furthermore, a key protection for the community where problems associated with the licensing objectives occur, was the possibility of reviewing the licence.

The sub-committee noted the layout of the premises and how the orders for the delivery service would be collated for delivery. It was evident from the plan submitted with the application that the location of the office area and storeroom were not illustrated. The sub-committee therefore requested that a revised plan of the premises be submitted illustrating clearly the area to be licensed including the location of the CCTV cameras and fire extinguishers etc., any other rooms associated with the business and, in accordance with the Regulations made under the Licensing Act 2003, the following details:

- (a) the extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises;
- (b) the location of points of access to and egress from the premises; and
- (c) if different from (b) above, the location of escape routes from the premises.

On the basis of the evidence presented to it and after considering all the relevant issues, the sub-committee concluded that the promotion of the licensing objectives would not be undermined by the granting of the amended application, subject to the imposition of appropriate conditions.

The sub-committee therefore:

Resolved:-

That the application be granted subject to:

(i) The Mandatory Conditions set out in Appendix 1 to the report of the Executive Director (Neighbourhoods and Environment);

(ii) The current Conditions attached to the existing licence as set out in Appendix to the submitted report;

(iii) The Conditions drawn from the Operating Schedule set out in Appendix 3 to the report subject to the amendment of Condition 1 to now read:

“All alcohol sold via the delivery service will be by pre-order only.”;

(iv) The Conditions agreed between the Applicant and the Environmental Health as set out in Appendix 4 to the report; and

(v) The following additional Conditions:

- A revised plan to be submitted to the Licensing Authority within not more than 14 days from the receipt of this decision illustrating clearly the area to be licensed including the location of the CCTV cameras and fire extinguishers etc., any other rooms associated with the business and, in accordance with the Regulations made under the Licensing Act 2003, the following details:

(a) the extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises;

(b) the location of points of access to and egress from the premises; and

(c) if different from (b) above, the location of escape routes from the premises.

Chair: _____

This page is intentionally left blank

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Cabinet Committee

Date: Tuesday, 21st September, 2021

Place: Council Chamber - Civic Suite

14

Present: Councillor R Woodley (Chair)
Councillors P Collins (Vice-Chair) and C Nevin

In Attendance: Councillors B Beggs, M Berry, K Buck, D Cowan, T Cox,
S Habermel, J Lamb and S Wakefield
S Harrington and T Row

Start/End Time: 6.30 pm - 7.55 pm

352 Apologies for Absence

There were no apologies for absence.

353 Declarations of Interest

No interests were declared at the meeting.

354 Exclusion of the Public

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

355 Permanent Vehicular Crossing (PVX) - Exceptional Circumstances Application(s)

The Cabinet Committee received a report of Executive Director (Neighbourhoods and the Environment) presenting the exceptional circumstance applications for permanent vehicle crossings (PVX) as set out in Appendix 1 to the report. The Applicants or their representatives attended the meeting to present their respective applications.

Having considered the views of the Traffic Regulations Working Party, it was:

Resolved:-

1. That the following applications be refused on the grounds that no extenuating circumstances that would warrant an exception to the current established policy could be identified:

Application Reference No. 21/00192;
Application Reference No. 21/00219(a); and
Application Reference No. 21/000282.

2. That, in view of the extenuating factors in relation to the individual case, the PVX exceptional circumstance application ref no. 21/00181 be granted.

Reasons for Decision

As set out in the submitted report

Other Options

As set out in the submitted report

Note: This is an Executive function

Not eligible for call-in pursuant to Scrutiny Procedure Rule 15(e)(iv)

Cabinet Member: Cllr Woodley

Chair: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Audit Committee

Date: Wednesday, 22nd September, 2021

Place: Council Chamber - Civic Suite

15

Present: Councillor M Dent (Chair)
Councillors T Cox*, M Davidson*, K Evans, N Folkard, S George,
S Habermel, S Wakefield* and P Wexham and Mr K Pandya
(*Substitute in accordance with Council Procedure Rule 31.)

In Attendance: Councillor K Buck
J Chesterton, A Barnes, E Allen and T Row

Start/End Time: 6.30 pm - 8.15 pm

356 Apologies for Absence

Apologies for absence were received from Councillors Boyd (substitute: Councillor Davidson), Dear (substitute: Councillor Cox) and Shead (substitute: Councillor Wakefield).

357 Declarations of Interest

No interests were declared at the meeting.

358 Minutes of the Meeting held on Wednesday, 28th April, 2021

Resolved:-

That the Minutes of the Meeting held on Wednesday, 28th April 2021 be received, confirmed as a correct record and signed.

359 Internal Audit Report: Better Queensway Highways Scheme

The Committee received a report of the Executive Director (Finance & Resources) that presented the findings from the internal audit work in relation to the questions and concerns raised by a group of Councillors about the highways scheme element of the Better Queensway regeneration development and the options for the underpass and roundabout.

The Committee asked a number of questions which were responded to by the Council's Head of Internal Audit.

The Committee took the opportunity to thank the Head of Internal Audit for his engagement and the hard work undertaken by his team in preparing a comprehensive report.

Resolved:

1. That the findings of the internal audit work (outlined at section 4 of the report of the Executive Director (Finance and Resources) and reported in full at Appendix A of the submitted report) be noted and that the recommendations set out in the internal audit report at Appendix A be endorsed and that a report on progress be submitted to the Audit Committee for consideration in April 2022.
2. That the report and recommendations of the Committee be referred to the Place Scrutiny Committee for consideration at its special meeting taking place on 12th October 2021.
3. That the future Minutes of the meetings of the Better Queensway Programme Board be regularly submitted to The Shareholder Board for information.
4. That the powers delegated to Officers by Cabinet in relation to the Better Queensway regeneration project should cease (although for the avoidance of doubt powers delegated to Officers in Part 3 Schedule 3 of the Constitution and the SO46 procedure in Part 4a shall continue to apply in appropriate circumstances).

Chair: _____

Public Document Pack
SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Place Scrutiny Committee

Date: Monday, 4th October, 2021
Place: Council Chamber - Civic Suite

16

Present: Councillor A Moring (Chair)
Councillors N Folkard (Vice-Chair), K Buck, D Cowan, T Cowdrey*,
T Cox*, M Dent, F Evans, K Evans, S George, D Jarvis, K Mitchell,
D Nelson*, S Wakefield, N Ward, J Warren and P Wexham
(*Substitute in accordance with Council Procedure Rule 31.)

In Attendance: Councillors C Mulroney and M Terry
G Gilbert, J Burr and T Row

Start/End Time: 6.30 pm - 7.35 pm

360 Apologies for Absence

Apologies for absence were received from Councillors Bright (substitute: Councillor Cox), Robinson (substitute: Councillor Cowdrey) and Walker (substitute: Councillor Nelson).

361 Declarations of Interest

The following interests were declared at the meeting:

(i) Councillor Evans – Minute No. (Traffic Regulation Order Objection Report) – Non-pecuniary interest: Friends live in Thorpe Bay Gardens;

(ii) Councillor Moring – Minute No. (Traffic Regulation Order Objection Report) – Non-pecuniary interest: Lives in the vicinity of Thorpe Bay Gardens; and

(iii) Councillor Nelson – Minute No. (Traffic Regulation Order Objection Report) – Non-pecuniary interest: Friends live in the vicinity of Thorpe Bay Gardens and currently lives in Radar Close.

362 Questions from Members of the Public

The Cabinet Member for Environment, Culture, Tourism and Planning responded to two questions from Mr David Webb.

363 Minutes of the Meeting held on Tuesday, 31st August, 2021

Resolved:-

That the Minutes of the Meeting held on Tuesday, 31st August 2021 be received, confirmed as a correct record and signed.

364 Traffic Regulation Order Objection Report

The Scrutiny Committee considered Minute 323 of Cabinet Committee, which had been called-in for scrutiny, together the report of the Executive Director (Neighbourhoods and Environment) that presented the representations that had been received in response to the statutory consultation for traffic regulation orders for the introduction of waiting restrictions in the sections of road set out in the Appendices to the submitted report.

The Committee expressed concern that the Cabinet Member for Transport, Asset Management and Inward investment and Chair of the Cabinet Committee was not in attendance to answer questions, particularly in relation to the decision regarding Thorpe Bay Gardens and why the recommendation of officers not to proceed with this matter had not been approved.

Resolved:-

1. That the matter be referred back to Cabinet Committee for reconsideration with a recommendation that the traffic regulation order in Thorpe Bay Gardens should not proceed in accordance with the advice of Officers.

2. That, in accordance with Council Procedure Rule 39, the matter be referred to full Council for consideration. ||

Note: This is an Executive function
Cabinet Member: Councillor Woodley

365 Joint In-Depth Scrutiny Project 2021/22

The Committee considered a report of the Executive Director (Legal & Democratic Services) that provided an update on the progress of the joint in-depth scrutiny project for 2021/22. The report also presented a copy of the project plan and work programme for the joint in-depth scrutiny project, copies of which were attached to the submitted report.

Resolved:-

That the project plan and work programme for the joint in-depth scrutiny project for 2021/22 be noted.

Note: This is a Scrutiny function

Chairman: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Appointments and Disciplinary Committee

Date: Tuesday, 5th October, 2021
Place: Committee Room 3 - Civic Suite

17

Present: Councillor I Gilbert (Chair)
Councillors R Woodley (Vice-Chair), T Cox, M Davidson, D Jarvis,
C Mulrone and M Dent

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: S Putt, A Eastgate, A Lewis and M Bearn (Hays)

Start/End Time: 9.30 am - 1.00 pm

366 Apologies for Absence

Apologies for absence were received from Councillor Cowan (substitute: Cllr Dent).

367 Declarations of Interest

There were no declarations of interest at this meeting.

368 Exclusion of the Public

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the item of business set out below, on the grounds that it would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

369 Interviews - Director of Public Protection

The Committee interviewed candidates for the post of Director of Public Protection.

Resolved:

1. That, subject to the provisions of the Local Authorities Standing Orders (England) Regulations 2001 as incorporated in paragraph 5 of the Council's Officer Employment Procedure Rules, the post of Director of Public Protection be offered to Joanne Stowell.

2. That the Chief Executive be authorised to offer the post outlined in 1 above to the candidate upon confirmation by the Leader that neither he nor any Cabinet Member has any objection to the making of such an offer.

Chair: _____

This page is intentionally left blank

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of People Scrutiny Committee

Date: Tuesday, 5th October, 2021

Place: Council Chamber - Civic Suite

18

Present: Councillor L Salter (Chair)
Councillors H Boyd (Vice-Chair), B Beggs, M Berry, J Courtenay, D Cowan*,
A Dear, K Evans, D Garne, B Hooper, J Lamb, A Line and K Mitchell

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors L Burton, A Jones and C Nevin (Cabinet Members), J Burr,
L Doe, T Forster, M Marks, B Martin and S Tautz
T Watts (Southend Carers Forum (Co-opted Member)), M Faulkner-Hatt, O
Slaughter (Southend Youth Council (Observers))

Start/End Time: 6.30 pm - 7.40 pm

370 Apologies for Absence

Apologies for absence were received from Councillor T Cowdrey (Substitute: Councillor D Cowan), Councillor I Shead (no substitute), Councillor M Stafford (no substitute) and O Richards (Healthwatch Southend (Co-opted Member))

371 Declarations of Interest

The following interests were declared at the meeting:

- (a) Councillor B Hooper - Agenda Item 5 (Independent SEND Peer Review) and Agenda Item 6 (Children's Services Improvement Board) - Director of a not-for-profit company that works with young people - Non-pecuniary interests.
- (b) Councillor L Burton - Agenda Item 5 (Independent SEND Peer Review) and Agenda Item 6 (Children's Services Improvement Board) - Employed as a teacher at a school outside the Borough - Non-pecuniary interests.

372 Questions from Members of the Public

The Committee noted the responses of the Cabinet Member for Children and Learning and the Cabinet Member for Communities and Housing, to questions presented by Mr D Webb.

373 Minutes of the Meeting held on 1 September 2021

Resolved:

That the minutes of the meeting of the Committee held on 1 September 2021 be confirmed as a correct record and signed.

374 Independent SEND Peer Review

The Committee received a further update on the progress of the commissioning of an independent peer review of Special Educational Needs and Disability (SEND) service provision, which had been agreed by the Cabinet in July 2021.

The Committee also received an update from the Executive Director (Children and Public Health), on the current position with regard to the provision of home to school transport services.

Resolved:

That the report be noted.

375 Children's Services Improvement Board

The Committee considered a report of the Executive Director (Children and Public Health) that provided an update on the role and work of the Children's Services Improvement Board.

Resolved:

- (1) That the background to the establishment of the Children's Services Improvement Board and the current work programme of the Board as set out in the report, be noted.
- (2) That further reports be made to the Committee to provide an update on the work of the Board, every six months.

376 Joint In-Depth Scrutiny Project 2021/22

The Committee received a report of the Executive Director (Legal and Democratic Services) on progress with regard to the joint in-depth scrutiny project for 2021/22.

Resolved:

That the report be noted.

Note: This is a Scrutiny function

Chair: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Development Control Committee

Date: Wednesday, 6th October, 2021

Place: Council Chamber - Civic Suite

19

Present: Councillor N Ward (Chair)
Councillors A Dear (Vice-Chair), J Beck, M Berry*, K Buck, M Dent,
F Evans, D Garne, D Garston, S Habermel, D Jarvis, A Jones,
K Mitchell, C Mulrone, A Thompson and S Wakefield
*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillor R Woodley
G Gilbert, K Waters, C Galforg, P Keyes, C White, O Hart, M Warren
and T Row

Start/End Time: 2.00 pm - 4.30 pm

377 Apologies for Absence

Apologies for absence were received from Councillor Cowan (substitute: Councillor Berry) and Councillor Walker (no substitute).

378 Declarations of Interest

The following interests were declared at the meeting:

(i) Councillor Buck – Application Ref No. 21/01491/FULH – 237 Prittlewell Chase, Westcliff on Sea – Non-pecuniary interest: Has been contacted by residents in respect of the application;

(ii) Councillor Dent – Application Ref No. 20/02156/AMDT – Seaway Car Park, Southend on Sea – Non-pecuniary interest: Has corresponded with residents in respect of the application;

(iii) Councillor Dent – Application Ref No. 21/0341/FUL – 132 Southchurch Avenue, Southend on Sea – Non-pecuniary interest: Has corresponded with residents in respect of the application;

(iv) Councillor D Garston – Application Ref No. 21/01323/FULH – 29 St Augustine's Avenue, Thorpe Bay – Non-pecuniary interest: Owner of neighbouring property is known to him;

(v) Councillor D Garston – Application Ref No. 21/01491/FULH – 237 Prittlewell Chase, Westcliff on Sea – Non-pecuniary interest: Has been contacted by residents in respect of the application;

(vi) Councillor A Jones – Application Ref No. 20/02156/AMDT – Seaway Car Park, Southend on Sea – Disqualifying non-pecuniary interest: Cabinet Member (withdrew);

(vii) Councillor Mulroney – Application Ref No. 20/02156/AMDT – Seaway Car Park, Southend on Sea – Disqualifying non-pecuniary interest: Cabinet Member (withdrew); and

(viii) Mr G Gilbert – Application Ref No. 21/01323/FULH – 29 St Augustine’s Avenue, Thorpe Bay – Non-pecuniary interest: Owner of neighbouring property is known to him.

379 Minutes of the meeting held on Wednesday 21st July 2021

Resolved:-

That the Minutes of the meeting held on Wednesday, 21st July 2021 be received, confirmed as a correct record and signed.

380 Minutes of the meeting held on Wednesday 1st September 2021

Resolved:-

That the Minutes of the meeting held on Wednesday, 1st September 2021 be received, confirmed as a correct record and signed.

381 Supplementary Report

The Committee received and noted a supplementary report by the Deputy Chief Executive and Executive Director (Growth and Housing) that provided additional information on the items referred to elsewhere on the Agenda.

**382 20/02156/AMDT - Seaway Car Park, Southend-On-Sea (Milton)
Proposal: Application to vary condition 23 (opening hours of external terraced seating areas) and condition 41 (renewable energy), alter opening hours for external seating areas and alter wording of condition 41 (Minor Material Amendment of planning application 18/02302/BC4M allowed on appeal dated 09.10.2020)
Applicant: Turnstone Southend Ltd
Agent: Mr Matt Hare of Carter Jonas LLP**

Resolved:- That planning permission be GRANTED subject to the following conditions:

1) No development is allowed to commence nor any condition to be discharged prior to the owner and the Council executing a Section 106 obligation in substantially the same form as the obligation annexed to the planning permission granted in respect of the application bearing ref. no. 18/02302/BC4M.

Reason: To ensure the development is not progressed until the necessary planning obligation is executed.

2) The development hereby permitted shall be begin no later than 3 years from the date of the original permission 18/02302/BC4M dated 22nd September 2020.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

3) The development shall be carried solely out in accordance with the approved plans:

- S019/P3000.pl2 - Location Plan submitted September 2019
- S019/P3001.pl2 - Existing Site Plan (Topographical Survey) submitted September 2019
- S019/P3002.pl1 - Existing Building Elevations Submitted January 2019
- S019/P3003 - Existing Building Elevations Submitted January 2019
- S019/P3004 - Existing Building Plans Submitted January 2019
- S019/P3005.pl3 - Demolition Plan Submitted September 2019
- S019/P3006.pl2 - Proposed Site Plan Submitted September 2019
- S019/P3007.pl2 - Proposed Lower Ground Level Plan Submitted September 2019
- S019/P3008.pl2 - Proposed Ground Level Plan Submitted September 2019
- S019/P3009.pl2 - Proposed Cinema Level Plan Submitted September 2019
- S019/P3010.pl2 - Proposed Auditorium Level Plan Submitted September 2019
- S019/P3011.pl1 - Proposed Roof Level Plan Submitted September 2019
- S019/P3012.pl1 - Proposed Car Park Plans Submitted September 2019
- S019/P3013.pl1 - Proposed Sections A and B Submitted September 2019
- S019/P3014.pl1 - Proposed Sections C and D Submitted September 2019
- P3015.pl1 - Proposed Sections E and F Submitted September 2019
- S019/P3016.pl1 - Proposed Section G Submitted September 2019
- S019/P3017.pl1 - Proposed Site Sections 1 Submitted September 2019
- S019/P3018.pl1 - Proposed Site Sections 2 Submitted September 2019
- S019/P3019.pl1 - Proposed Site Sections 3 Submitted September 2019
- S019/P3020.pl2 - Proposed North Elevations Submitted September 2019
- S019/P3021.pl2 - Proposed East Elevation Submitted September 2019
- S019/P3022.pl2 - Proposed South Elevation Submitted September 2019
- S019/P3023.pl2 - Proposed West Elevations Submitted September 2019
- S019/P3024.pl2 - Unit R1 Proposed Ground Floor Plan Submitted September 2019
- S019/P3025.pl1 - Unit R1 Proposed First Floor and Roof Submitted September 2019
- S019/P3026.pl5 – Unit R1 - Proposed North and West Elevations Submitted September 2019
- S019/P3027.pl5 – Unit R1 Proposed East and South Elevations Submitted September 2019
- S019/P3028.pl1 - Unit R1 Proposed Section Submitted September 2019
- S019/P3029.pl2 - Hotel Proposed Ground Floor Site Plan Submitted September 2019
- S019/P3030.pl1 - Hotel Proposed Floor Plan Submitted September 2019
- S019/P3031.pl2 - Hotel Proposed North Elevation Submitted September 2019
- S019/P3032.pl2 - Hotel Proposed East Elevation Submitted September 2019
- S019/P3033.pl2 - Hotel Proposed South Elevation Submitted September 2019
- S019/P3034.pl3 - Hotel Proposed West Elevation Submitted September 2019
- S019/P3035.pl1 - Hotel - Proposed Section A-A and B-B Submitted September 2019
- S019/P3037.pl2 – Elevation/Section Detail 1 Submitted September 2019
- S019/P3038.pl2 – Elevation/Section Detail 2 Submitted September 2019
- S019/P3039.pl2 – Elevation/Section Detail 3 Submitted September 2019
- S019/P3040.pl2 – Elevation/Section Detail 4 Submitted September 2019
- S019/P3041.pl2 – Elevation/Section Detail 5 Submitted September 2019
- S019/P3042.pl2 – Elevation/Section Detail 6 Submitted September 2019
- S019/P3043.pl2 – Elevation/Section Detail 7 Submitted September 2019

S019/P3044.pl2 – Elevation/Section Detail 8 Submitted September 2019
S019/P3045.pl1 – Elevation/Section Detail 9 Submitted September 2019
S019/P3047.pl2 - Proposed Substation Submitted September 2019
S019/P3048 pl1 - Proposed Public Toilet Plan Submitted September 2019
S019/P3050 - Proposed South Elevation - Marine Parade Submitted September 2019
S019/P3051 - Proposed South Elevation - Lucy Road Submitted September 2019
S019/P3052.pl1 - Proposed Cycle Shelters (plans) Submitted September 2019
S019/P3053 - Proposed Cycle Shelters (Elevations) Submitted September 2019
S019/P3054.pl1 - Proposed Site Plan (Adopted Highway Boundary) Submitted September 2019
S019/P3056.pl2 - Proposed Site Plan (with proposed area for stopping-up and adoption) Submitted September 2019
S019/P3057 - Proposed Site Sections 1 (Existing Ground Line Overlay) Submitted September 2019
S019/P3058 - Proposed Site Section 2 (Existing Ground Line Overlay) Submitted September 2019
S019/P3059 - Proposed Site Sections 3 (Existing Ground Line Overlay) Submitted September 2019
S019/P3060 - Proposed North Elevations (Existing Ground Line Overlay) Submitted September 2019
S019/P3061 - Proposed East Elevation (Existing Ground Line Overlay) Submitted September 2019
S019/P3062 - Proposed South Elevation (Existing Ground Line Overlay) Submitted September 2019
S019/P3063 - Proposed West Elevations (Existing Ground Line Overlay) Submitted September 2019
S019/P3066 - Servicing Strategy Diagram – Proposed Site Plan Submitted September 2019
S019/P3067 - Servicing Strategy Diagram - Proposed Lower Ground Floor Plan Submitted September 2019
S019/P3068 - Servicing Strategy Diagram - Proposed Ground Level Plan Submitted September 2019
S019/P3069 - Servicing Strategy Diagram Service Corridor Plan Submitted September 2019
S019/P3070 - Servicing Strategy Diagram Service Corridor Section Submitted September 2019
739_SC_300_P02 - Landscape Sections 1 of 2 Submitted September 2019
739_SC_301_P02 - Landscape Sections 2 of 2 Submitted September 2019
739_PL_001_P07 - General Arrangement Plan Submitted September 2019
739_PL_002_P05 - Rendered Landscape Masterplan Submitted September 2019
6113-D-AIA_E – Prelim AIA Submitted September 2019

Reason: To ensure the development is carried out in accordance with the objectives of the development plan.

4) No development shall take place, including any works of demolition, unless and until a Demolition and Construction Management Plan and Strategy to include a Dust Mitigation Strategy has been submitted to, and approved in writing by the Local Planning Authority. The approved Demolition and Construction Management Plan and Strategy shall be adhered to in full throughout the construction period. The Statement shall provide, amongst other things, for:

- i) the parking of vehicles of site operatives and visitors

- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding
- v) measures to control the emission of dust and dirt during construction
- vi) a scheme for recycling/disposing of waste resulting from construction works that does not allow for the burning of waste on site.
- vii) a dust management plan to include mitigation and boundary particulate monitoring during demolition and construction.
- viii) details of the duration and location of any noisy activities.

Reason: This pre-commencement condition is required in the interests of the amenities of nearby and surrounding occupiers pursuant to Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and Policy CS1 of the Southend Central Area Action Plan (2018).

5) No development shall take place, including any works of demolition, unless and until a Construction Noise and Vibration Management Plan and Strategy has been submitted to, and agreed in writing by the Local Planning Authority, for the control, mitigation and monitoring of noise and vibration from the construction phase. The approved Construction Noise and Vibration Management Plan and Strategy shall be adhered to in full throughout the construction period.

Reason: This pre-commencement condition is required in the interests of the amenities of neighbouring occupiers and in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and Policy CS1 of the Southend Central Area Action Plan (2018).

6) Demolition and construction works associated with this permission shall not take place outside 7.30am to 6pm Monday to Friday, 8.00am to 1.00pm Saturdays and at no time on Sunday or public holidays.

Reason: In order to protect the character and amenities of the area and neighbouring occupiers in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and Policy CS1 of the Southend Central Area Action Plan (2018).

7) No development shall take place, including any works for demolition unless and until a Car Park Construction Mitigation Strategy, including a communication strategy along with a temporary signage strategy that includes providing supplementary temporary VMS signage linked to the Council's VMS, has been submitted to and approved in writing by the Local Planning Authority. This shall include details of available on-site public car parking during the construction period, which shall be made available where reasonably practicable. The approved Car Park Construction Mitigation Strategy shall be fully adhered to during the period of construction.

Reason: This pre-commencement condition is required to ensure that adequate car parking is provided and retained in accordance with Policies KP2, KP3 and CP3 of the Core Strategy (2007), Policy DM15 of the Development Management

Document (2015) and Policies DS5, CS1 and CS1.2 of Southend Central Area Action Plan (SCAAP) (2018).

8) Prior to the first occupation of any buildings hereby approved by this permission or the bringing into use any area of car parking, a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of how customer noise and behaviour is managed on and off the premises; staff behaviour including but not limited to opening/closing premises; deliveries; waste disposal and storage; external space management; site maintenance; signage, staff training and dealing with customer complaints. The Noise Management Plan shall be implemented as approved prior to the first use of the development and thereafter retained in perpetuity.

Reason: To protect neighbouring residential occupiers from undue noise and disturbance in order to maintain their amenities, in accordance with policies DM1 and DM3 of the Development Management Document (2015), Policy CS1.2 of the SCAAP and Policies KP2 and CP4 of the Core Strategy (2007).

9) Notwithstanding the details shown on the documents submitted and otherwise hereby approved, noise as a result of this development, from all noise sources including plant and equipment together with extract ventilation from any A3, A5 and D2 units shall not exceed 10 dB(A) (including tonal elements) below the background noise level as measured and expressed as a LA90, over a 15 minute period, from the boundary of the neighbouring residential properties, in perpetuity. Before the development is brought into use background noise levels shall be established for the following periods:

Daytime: 0700 to 1900

Evening: 1900 to 2300

Night: 2300 to 0700

In order to establish background noise level a representative baseline noise survey shall be undertaken in accordance with BS 4142:2014+A1:2019 at the boundary of the nearest residential properties. This shall be undertaken by a suitably competent person and shall be submitted for approval prior to the installation of any plant or equipment across the site or the site being brought into use. The background noise level survey shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.

Reason: To protect neighbouring residential occupiers from undue noise and disturbance in order to maintain their residential amenities, in accordance with policies DM1 and DM3 of the Development Management Document (2015), Policy CS1.2 of the SCAAP (2018) and Policies KP2 and CP4 of the Core Strategy (2007).

10) No development shall be undertaken unless and until details of an acoustic barrier along the eastern boundary of the site adjacent to the rear of the residential properties along Hartington Road, and around the hotel has been submitted to and approved in writing by the Local Planning Authority. The approved acoustic barrier shall be completed in accordance with the approved details prior to any demolition or construction works and shall thereafter be retained in perpetuity.

Reason: To protect neighbouring residential occupiers from undue noise and disturbance in order to maintain their residential amenities, in accordance with policies DM1 and DM3 of the Development Management Document (2015), Policy CS1.2 of the SCAAP (2018) and policies KP2 and CP4 of the Core Strategy (2007).

11) There shall be no external speakers installed at any part of the site. There shall be no amplified music played or use of public address systems in any external areas of the site. This shall include any amplified music from speakers in the doorways of all premises of any use hereby approved.

Reason: To protect neighbouring residential occupiers from undue noise and disturbance in order to maintain their residential amenities, in accordance with Policies DM1 and DM3 of the Development Management Document (2015), Policy CS1.2 of the SCAAP (2018) and policies KP2 and CP4 of the Core Strategy (2007).

12) Notwithstanding the information submitted and otherwise hereby approved, the proposed substation shall not be constructed unless and until full details of the acoustic insulation of this building have been submitted to and approved in writing by the Local Planning Authority. The substation shall be constructed in full accordance with the approved details prior to its first use and shall be retained as such thereafter in perpetuity.

Reason: To protect neighbouring residential occupiers from under noise and disturbance in order to maintain their residential amenities, in accordance with policies DM1 and DM3 of the Development Management Document (2015), Policy CS1.2 of the SCAAP (2018) and policies KP2 and CP4 of the Core Strategy (2007).

13) Notwithstanding the information submitted and otherwise hereby approved, the proposed leisure building shall not be constructed unless and until full details of the acoustic insulation of the cinema have been submitted to and approved in writing by the Local Planning Authority. The leisure building shall be constructed in full accordance with the approved details prior to its first use and shall be retained as such thereafter in perpetuity.

Reason: To protect neighbouring residential occupiers from undue noise and disturbance in order to maintain their residential amenities, in accordance with policies DM1 and DM3 of the Development Management Document (2015), Policy CS1.2 of the SCAAP (2018) and policies KP2 and CP4 of the Core Strategy (2007).

14) No development, excluding works of demolition, shall take place unless and until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details must include the following as a minimum:

- i. Proposed finished levels or contours;
- ii. Means of enclosure;
- iii. Car parking layouts;
- iv. Other vehicle and pedestrian access and circulation
- v. Hard surfacing materials;

- vi. Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc);
- vii. Details of the number, size, e.g. semi-mature trees species and location of the trees and shrubs to be planted together with a planting specification and details of the management of the site e.g. the uncompacting of the site prior to planting, the staking of trees and removal of the stakes once the trees are established and details of measures to enhance biodiversity within the site;
- viii. Maintenance Programme;
- ix. Timetable for completion of the soft landscaping and planting.
- x. Evidence of compatibility of landscaping scheme with the proposed drainage and other site services.
- xi. Details of any trees to be retained at the site.

The hard landscaping shall be completed prior to first occupation of the development and soft landscaping/planting shall be completed within the planting season following first occupation of the development. If any trees are removed or found to be dying, severely damaged or diseased within 5 years of planting them, they must be replaced with trees of a similar size and species as may be agreed with the Local Planning Authority.

Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to policies KP2 and CP4 of the Core Strategy (2007), DM1 and DM3 of the Development Management Document (2015) and CS1 and CS1.2 of the SCAAP (2018).

15) No development shall take place, including any works for demolition, unless and until a detailed Arboricultural Method Statement and Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority. Details must include:

- (a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;
- (b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;
- (c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
- (d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site;
- (e) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

Reason: This pre-commencement condition is required to minimise the environmental impact of the development and to minimise the risk to retained trees in accordance with policies KP2, CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and Policy CS1.2 of SCAAP (2018).

16) (a) Notwithstanding the details submitted and otherwise hereby approved, no development shall take place, other than that required to carry out additional necessary investigation which in this case may include demolition, site clearance, removal of underground tanks and old structures, and any construction until an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall assess the nature and extent of any contamination on the site whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority.

The report of the findings must include:

- i) A survey of extent, scale and nature of contamination;
- ii) An assessment of the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - groundwaters and surface waters;
 - ecological systems;
 - archaeological sites and ancient monuments; and

An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

(b) Remediation Scheme: Notwithstanding the details submitted and otherwise hereby approved, no development shall be undertaken, other than where necessary to carry out additional investigation, until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. This must be conducted by a competent person and in accordance with DEFRA and the Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

(c) Implementation of Remediation Scheme: Notwithstanding the details submitted and otherwise hereby approved, no development shall be undertaken unless and until the measures set out in the detailed remediation scheme approved under part (b) of this condition shall have been implemented. The Local Planning Authority may give approval for the commencement of development prior to the

completion of the remedial measures when it is deemed necessary to do so in order to complete the agreed remediation scheme. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced. This must be conducted by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authority. Development must be halted on that part of the site until an assessment has been undertaken in accordance with the requirements of part (a) of this condition, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, has been submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of part (b) of this condition. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority before the development is brought into use.

Reason: This pre-commencement condition is required to ensure that any contamination on site is identified and treated so that it does not harm anyone who uses the site in the future and in accordance with Policies KS1, KP3 and CP4 of the Core Strategy (2007), DM14 of the Development Management Document (2015) and CS1.2 of the SCAAP (2018).

17) Notwithstanding the details submitted and otherwise hereby approved, prior to the commencement of development a strategy for the ventilation of all buildings and the treatment of all smells and fumes including the acoustic attenuation of all equipment for all buildings shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter prior to occupation of each individual unit a detailed scheme for the ventilation of the unit and the treatment of all smells and fumes including the details of the acoustic attenuation of all equipment for that unit shall be submitted to and agreed in writing with the Local Planning Authority. The schemes shall include details of equipment for the suppression of fumes, odours and/or dust including details of noise and vibration attenuation together with a maintenance schedule for the future operation of that equipment. The approved scheme for each building shall be implemented and completed prior to the first occupation of that building and managed in accordance with the approved maintenance regime in perpetuity.

Reason: In order to protect the amenities of occupiers of the development and surrounding occupiers and to protect the character and visual amenities of the area in accordance with Policies KP2 and CP4 of the Core Strategy (2007), DM1

of the Development Management Document (2015) and CS1.2 of the SCAAP (2018).

18) No drainage infrastructure shall be installed unless and until the detailed design of a surface water drainage scheme incorporating the following measures has been submitted to and agreed in writing with the Local Planning Authority in consultation with the Lead Local Flood Authority. The approved scheme shall be implemented and completed prior to the first occupation of the development and maintained in accordance with the approved details for the lifetime of the development. The scheme shall address the following matters:

- a. Provide evidence of infiltration tests in accordance with BRE365 and if infiltration is found to be viable provide information in relation to the potential for ground instability or deterioration in groundwater quality because of infiltration.
- b. Provide an updated drainage layout plan indicating the dimensions, storage volumes, pipe sizes and gradients, manhole cover and invert levels, proposed discharge rates, flow controls and final discharge connection in accordance with the submitted calculations. Updated engineering plans shall be provided for each of the Sustainable Urban Drainage Systems (SuDS) and critical drainage elements, including the flow control features.
- c. Provide information on the management of health and safety risks in relation to feature design.
- d. Provide a system valuation (including capital costs, operation and maintenance costs, cost contributions) and a demonstration of long-term economic viability
- e. Provide a method statement regarding the management of surface water runoff arising during the construction phase of the project.
- f. Provide a method statement for the management of surface water runoff arising during the construction
- g. Provide evidence of consent from Anglian Water to discharge at the proposed discharge rate and location.

Reason: To ensure adequate drainage is provided by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with Policy KP2 of the Core Strategy (2007) and DS4 of the SCAAP (2018).

19) No service vehicles associated with the development hereby approved shall be permitted along Herbert Grove between the hours 1900 hours - 0700 hours Monday - Friday, 1300 hours - 0800 hours Saturday and at no time on Sundays and Bank or Public Holidays. No deliveries shall be taken at or dispatched from the approved service bays on Lucy Road, the service area that serves the standalone building on Lucy Road or the service area to the rear of the hotel between the hours of 1900 hours - 0700 hours Monday - Friday, 1300 hours - 0800 hours Saturday and at no time on Sundays and Bank or Public Holidays. During these restricted service hours, all servicing at the site must take place on the service lay by on the main site access, as approved and shown on drawing S019 P3054.pl1.

Reason: In the interests of the amenities of neighbours and to ensure a suitable environmental standard in accordance with Policies KP2 of the Core Strategy (2007), Policy CS1.2 of the SCAAP (2018) and Policies DM1 and DM3 of the Development Management Document (2015).

20) Notwithstanding the details submitted with this application no take-away collection or pick-up delivery activities other than by non-motorised vehicles shall be undertaken from the public highway in Herbert Grove associated with the A3, D2 and A5 uses hereby approved at any time.

Reason: In the interest of the protection of the residential amenity of nearby occupiers in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

21) The A3, A5 and D2 uses (other than the permitted cinema facility) hereby approved shall not be open to customers outside the hours of 0700 hours - 0000 hours.

Reason: In the interests of the amenities of neighbours and to ensure a suitable environmental standard in accordance with Policy KP2 of the Core Strategy (2007), Policy CS1.2 of the SCAAP (2018) and Policies DM1 and DM3 of the Development Management Document (2015).

22) The cinema facility hereby approved shall not be open to customers outside the hours 0700 hours - 0000 hours, with the exception of a maximum of three screens and the associated circulation space that shall be allowed to operate 0700 - 0300 hours.

Reason: In the interests of the amenities of neighbours and to ensure a suitable environmental standard in accordance with Policy KP2 of the Core Strategy (2007), Policy CS1.2 of the SCAAP (2018) and Policies DM1 and DM3 of the Development management Document (2015).

23) The use of all external seating areas associated with and served by the buildings hereby approved shall be restricted to 0800 - 2000 hours Monday to Thursday, 0800 - 2100 hrs Friday to Saturday and 0800 - 2000 hours Sunday, Public Holidays and Bank Holidays. The use of the external balcony of the unit on Lucy Road shall be restricted to 0800 - 2300 hours at all times. No customers shall be seated or served outside, during the excluded hours. The preceding times are hereby approved for a temporary period of 1 calendar year only from the first use of the development hereby approved and shall thereafter revert back to the following times, unless express planning permission has been otherwise granted for alternative hours of use: The use of all external seating areas associated with and served by the buildings hereby approved shall be restricted to 1200 - 2000 hours Monday to Thursday, 1200 - 2100 hrs Friday to Saturday and 1200- 2000 hours Sunday, Public Holidays and Bank Holidays. The use of the external balcony of the unit on Lucy Road shall be restricted to 1200 -2300 hours at all times. No customers shall be seated or served outside, during the excluded hours.

Reason: In the interests of the amenities of neighbours and to ensure a suitable environmental standard in accordance with the National Planning Policy Framework (2021), Policy KP2 of the Core Strategy (2007), Policy CS1.2 of the SCAAP (2018) and Policies DM1 and DM3 of the Development Management Document (2015).

24) Notwithstanding the details submitted and otherwise hereby approved, all details of the external lighting to be installed in the development hereby approved

shall be submitted to and approved by the Local Planning Authority before any part of the development is commenced, other than demolition. The development shall be carried out in accordance with those approved details before the development is first occupied or brought into use and retained as such thereafter.

Reason: In the interest of the safety and amenities of the area, and to protect the amenities of surrounding occupiers in accordance with Policies KP2 of the Core Strategy (2007), CS1.2 of the SCAAP (2018) and DM1 and DM3 of the Development Management Document (2015).

25) Notwithstanding the details submitted and otherwise hereby approved, a detailed Lighting Management Plan, including measures to reduce unnecessary light pollution and energy uses shall be submitted to and approved by the Local Planning Authority prior to the first occupation of the development hereby approved. The lighting at the site shall be managed in accordance with the approved details of the approved plan and retained as such thereafter.

Reason: In the interests of the safety and amenities of the area, and to protect the amenities of surrounding occupiers in accordance with Policies KP2 of the Core Strategy (2007), Policy CS1.2 of the SCAAP (2018) and Policies DM1 and DM3 of the Development Management Document (2015).

26) Notwithstanding the details submitted and otherwise hereby approved, prior to the first occupation of any part of any building hereby approved a Waste Management Plan and Service Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The plans shall include full details of the refuse and recycling facilities. Waste Management and Servicing of the development hereby approved shall be implemented prior to occupation in strict accordance with the approved details and carried out in perpetuity thereafter.

Reason: To ensure that the development is satisfactorily serviced, and that satisfactory waste management is undertaken in the interests of highway safety, amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007), and Policies DM1 and DM3 of the Development Management Document (2015).

27) A design code for the ground and lower ground floor units in the leisure building and the café unit in the hotel building, hereby approved, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development (excluding works of demolition). The Design Code shall include details of shopfront treatments and signage strategy for these units. All treatments of the external facades of the units including applications to discharge Condition No. 31 shall be required to be implemented in accordance with the approved Design Code.

Reason: To safeguard the character and appearance of the site and surrounding area, the nearby listed and locally listed buildings and the Clifftown Conservation Area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1, DM3 and DM5 of the Development Management Document (2015) and Policy CS1.2 of the SCAAP (2018).

28) Prior to commencement of development (excluding works of demolition), the details of any external seating areas associated with and served by the

development hereby approved, shall be submitted to and approved by the Local Planning Authority. Details are to include layout, details of any temporary or permanent structures and visual containment proposals to protect prevailing residential amenity. The seating areas shall be operated and laid out in accordance with the approved details and shall remain as such in perpetuity.

Reason: In order to protect the character and amenities of the area and neighbouring occupiers in accordance with policies DM1 and DM5 of the Development Management Document (2015), Policy CS1.2 of the SCAAP (2018) and Policies KP2 and CP4 of the Core Strategy (2007).

29) No development above ground level shall be undertaken unless and until full details and plans of the cladding on the main leisure building (to include sections of individual panels and larger sections) have been submitted to and approved in writing by the Local Planning Authority. The details shall include design specifications for the cladding and include details of all fixings, profiles, offsets, angles and edge details. The development shall be carried out in accordance with the approved details before it is occupied and be permanently retained as such thereafter.

Reason: In order to protect the character and visual amenities of the area in accordance with policies DM1 and DM5 of the Development Management Document (2015), Policy DM1.2 of the SCAAP (2018) and Policies KP2 and CP4 of the Core Strategy (2007).

30) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development of the hotel hereby granted permission shall not be occupied unless and until plans are submitted to the Local Planning Authority and approved in writing which clearly specify all the windows and other openings in the development that are to be permanently glazed with obscured glass and fixed shut or provided with only a fanlight (or other similar) opening and the manner and design in which these windows and openings are to be implemented. The development hereby permitted shall be implemented in full accordance with the details approved under this condition before it is first occupied or brought into use and shall be permanently retained as such thereafter. The windows included within such agreed scheme shall be glazed in obscure glass which is at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the Local Planning Authority. In the case of multiple or double-glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

Reason: In the interests of the amenities of neighbours and to ensure a suitable environmental standard in accordance with Policies KP2 and CP4 of the Core Strategy (2007), Policy SC1.2 of the SCAAP (2018) and Policies DM1 and DM3 of the Development Management Document (2015).

31) Notwithstanding the details submitted and otherwise hereby approved, no development above ground level shall be undertaken unless and until samples, full specifications and details of the materials to be used on all external elevations of all buildings hereby approved, including all cladding, roofs, balconies, balustrades, fenestration and all screen/boundary walls and fences, have been submitted to and approved by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: In order to protect the character and visual amenities of the area in accordance with policies DM1 and DM5 of the Development Management Document (2015), Policy CS1.2 of the SCAAP (2018) and Policies KP2 and CP4 of the Core Strategy (2007).

32) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any order revoking and re-enacting that Order with or without modification, no structure such as canopies, fences, loggias, trellises, telecommunication apparatus or satellite or radio antennae shall be installed within the development or on the buildings without the receipt of express planning permission from the Local Planning Authority.

Reason: In order to protect the character and visual amenities of the development and the adjacent listed and locally listed buildings and the Conservation Area in accordance with Policies DM1 and DM5 of the Development Management Document (2015), Policy CS1.2 of the SCAAP (2018) and Policies KP2 and CP4 of the Core Strategy (2007).

33) Notwithstanding the details submitted and otherwise hereby approved, no development above ground level shall be undertaken unless and until full details of the proposed plant enclosures have been submitted to and approved in writing by the Local Planning Authority. The details shall include specification of materials, colours and any lighting proposed. The plant enclosures shall then be implemented and completed in complete accordance with the approved details prior to the first use of the development and thereafter retained permanently.

Reason: In order to protect the character and visual amenities of the development and the adjacent listed and locally listed buildings and the Conservation Area in accordance with Policies DM1 and DM5 of the Development Management Document (2015), Policy CS1.2 of the SCAAP (2018) and Policies KP2 and CP4 of the Core Strategy (2007).

34) Notwithstanding the details submitted and otherwise hereby approved, no development above ground level shall be undertaken unless and until full details of the glazing to the south-western corner of the leisure building have been submitted to and approved in writing by the Local Planning Authority. The glazing shall be implemented and completed in accordance with the approved details prior to the first use of the development hereby approved.

Reason: In order to protect the character and visual amenities of the development and the adjacent listed and locally listed buildings and the Conservation Area in accordance with policies DM1 and DM5 of the Development Management Document (2015), Policy CS1.2 of the SCAAP (2018) and Policies KP2 and CP4 of the Core Strategy (2007).

35) No part of any building hereby approved shall be occupied and the car park shall not be first opened to the public until a Car Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the layout and number of car parking spaces, timings for the delivery of on-site car parking spaces, the proposed car park charging scheme, and the management of availability of car parking spaces during low and high peak periods. The parking spaces shall be made available in full accordance

with this approved Plan from its approval. All parking spaces in the development shall be available for members of the public and shall not be reserved for the use of any particular building or users.

Reason: To ensure that adequate car parking is provided and retained to serve the development in accordance with Policy DM15 of the Council's Development Management Document (2015), Policy CP3 of the Core Strategy (2007) and Policies CS1.2 and DS5 of the SCAAP (2018).

36) Prior to first occupation of any part of any building hereby approved or the car park being open to the public, details of the number and location of electric car charging points to be installed in the car park shall be submitted to and approved in writing by the Local Planning Authority. At least 20% of all the car parking spaces shall have an electric charging point provided capable of charging vehicles from the outset and every car parking space shall be future proofed so that electric charging points can be installed when demand requires, e.g. four-way duct and drawpits to all service bays. The development shall be implemented in accordance with the approved details before it is brought into use.

Reason: In the interests of providing sustainable transport choices in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and DM2 and DM15 of the Development Management Document (2015).

37) No part of any building hereby approved shall be first occupied unless and until full details of the covered and secure cycle parking have been submitted to and approved in writing by the Local Planning Authority. This shall include provision for not less than 102 cycle spaces, of which 30 must be made available for staff cycle parking. The development shall be carried out in accordance with those approved details before the development is first occupied or brought into first use and shall be retained as such in perpetuity.

Reason: To ensure that adequate cycle parking is provided and retained to serve the commercial development in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policies DM1 and DM15 of the Development Management Document (2015).

38) Notwithstanding the details submitted with this application, no part of any building hereby approved shall be first occupied unless and until full details of the proposed disabled car parking across the site's car parks have been submitted to and approved in writing by the Local Planning Authority. Details shall include the number of spaces, locations and specification of layout. The spaces shall be implemented in full compliance with the approved details prior to the first occupation of the development, or the bringing into use of the surface car park and shall be retained in perpetuity thereafter.

Reason: To ensure that adequate disabled car parking is provided and retained to serve the commercial development in accordance with Policies KP2 and CP3 of the Core Strategy (2007), Policies DM1 and DM15 of the Development Management Document (2015) and DS5 and CS1.2 of the SCAAP (2018).

39) No development (excluding demolition) shall take place above ground floor slab level until evidence that the development is registered with a BREEAM certification body and a pre-assessment report (or design stage certificate with

interim rating if available) has been submitted indicating that the development can achieve Very Good BREEAM level.

Reason: This pre-commencement condition is required in the interests of providing a sustainable development, in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM2 of the Development Management Document (2015).

40 No building hereby approved shall be first occupied unless and until a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating "Very Good" has been achieved for that building.

Reason: In the interests of providing a sustainable development, in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

41) Notwithstanding the details submitted and otherwise hereby approved, prior to the commencement of development a strategy that demonstrates how at least 10% of the total energy needs of the development is to be supplied using on site renewable sources shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include proposals to demonstrate how at least 10% of the total energy needs of the communal areas within the main leisure building will be met by onsite renewable sources.

Thereafter, prior to occupation of each individual unit including the communal areas within the main leisure building, a detailed scheme for renewable energy generation to meet 10% of total energy needs for that unit/area and in accordance with the agreed strategy shall be submitted to and agreed in writing with the Local Planning Authority. The approved scheme for each unit/area shall be implemented and completed prior to the first occupation of that unit/area and maintained in perpetuity.

Reason: To ensure that the development makes appropriate use of on-site renewable energy in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

42) No development above ground level (excluding works of demolition) shall be undertaken unless and until details of the number, location, and specifications of bat and bird boxes have been submitted to and agreed in writing by the Local Planning Authority. The installation of the approved bird and bat boxes shall be carried out before the development hereby approved is first occupied or brought into first use and shall thereafter be retained in perpetuity.

Reason: To minimise the environmental impact of the development and ensure suitable mitigation is provided for biodiversity, including protected species and habitats in accordance with Policies KP2 and CP4 of the Core Strategy (2007).

43) All clearance, conversion and demolition work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to September inclusive, unless it is necessary for works to commence in the nesting season, then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out by a suitably

qualified ecologist. Only if there are no active nests present shall work be allowed to commence within the bird nesting season.

Reason: To minimise the environmental impact of the development and to ensure suitable mitigation is provided for protected species and habitats in accordance with Policies KP2 and CP4 of the Core Strategy (2007).

44) Notwithstanding the details submitted and otherwise hereby approved, no demolition hereby approved shall take place in the bat breeding season unless and until all buildings to be demolished have been first checked by a suitably qualified ecologist and it has been demonstrated that there are no signs of any bat roosting activity in the buildings to be demolished.

Reason: To minimise the environmental impact of the development and to ensure suitable mitigation is provided for protected species and habitats in accordance with Policies KP2 and CP4 of the Core Strategy (2007).

45) Prior to the first occupation of the development hereby approved, details of a CCTV scheme to serve the internal and external areas of the development shall be submitted to and agreed in writing with the Local Planning Authority. The details shall include the location of CCTV equipment (including CCTV to cover the multi-level car park in the leisure building hereby approved), its management, monitoring of activity, policing and maintenance. The installation of the CCTV shall be carried out in accordance with the approved details before the development hereby approved is first occupied or brought into first use. The CCTV shall thereafter be operated in accordance with the approved details and shall be retained permanently thereafter.

Reason: To protect the residential amenities of nearby occupiers and an environment which limits opportunities for crime and fear of crime, in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policy CS1.2 of the SCAAP (2018).

46) Notwithstanding the details shown on the plans submitted, and otherwise hereby approved, the development shall not be first occupied unless and until full details of the public art to be provided to the north of St John's Square has been submitted to and approved in writing by the Local Planning Authority. The approved public art shall be provided in full prior to the first use of the development hereby approved.

Reason: To ensure the scheme incorporates suitable public art and comply with policies KP2 and CP4 of the Core Strategy (2007), Policy DM1 of the Development Management Document (2015) and Policy CS1.2 of the SCAAP (2018).

47) No development above ground floor slab level shall be undertaken unless and until the Local Planning Authority has approved in writing a full scheme of highway works (including detailed designs and contract details) associated with the development which has previously been submitted to the Local Planning Authority. The development and the associated highway works shall thereafter be undertaken in accordance with the approved details before the development is brought into use.

Reason: In the interests of highway safety and a well-designed public realm in accordance with Policies KP2, KP3 and CP3 of the Core Strategy (2007), Policies DM1 and DM15 of the Development Management Document (2015) and Policy DS5 of the SCAAP (2018).

48) The toilet facilities accessed via Lucy Road hereby approved shall be open to the public at all times and shall be retained in public use in perpetuity.

Reason: In the interests of amenities in the area, to protect the level of provision of amenities for the community in accordance with Policy CP6 of the Core Strategy (2007).

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informatives

1. In relation to Condition 47 you are advised to contact our Highways Service to discuss the requisite Highways Agreements under the Highways Act 1980, Town and Country Planning Act 1990 and Road Traffic Regulation Act 1984. You are advised that we are likely to accept the completion of a legal agreement under section 278 and section 38 of the Highway Act in order to satisfactorily discharge this condition. The relevant legal agreements must be in place before any works are carried out to the public highway. A separate Stopping Up Order under Section 247 of the Town and Country Planning Act 1990 will be required for that part of the site within the public highway.

2. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability Notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil

Highways Informative

3. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that the Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when

implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.

Additional comments from Essex & Suffolk Water include:

4. Essex and Suffolk Water are the enforcement agents for The Water Supply (Water Fittings) Regulations 1999 within our area of supply, on behalf of the Department for the Environment, Food and Rural Affairs. We understand that a planning application has been made for the above premises which are to be notified under Regulation 5 of the Water Supply (Water Fittings) Regulation 1999.

5. For clarity notwithstanding the information submitted and otherwise hereby approved this permission does not permit the installation of any shared space.

6. The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular, your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended), the Licensing Act 2003 and the noise provisions within the Control of Pollution Act 1974.

7. Applicants should contact the Council's Regulatory Services Officer in Environmental Protection for more advice on 01702 215005 or at Regulatory Services, Southend-on-Sea Borough Council, Civic Centre, Victoria Avenue, Southend SS2 6ER'.

8. Demolition Prior to demolition of the existing buildings an appropriate Asbestos survey of the buildings shall be undertaken and a scheme implemented to remove and safely dispose of any asbestos-containing materials. It is recommended that the Council's building control department is notified of the demolition.

9. The applicant must consult with Anglian Water regarding the provision of sewerage for foul and surface water. As a major application the applicant shall also need to consult with the Lead Local Flood Authority for the provision of SUDs.

10. It is recommended that applicants consult any premises licensing conditions attached to premises and also note the general obligations under the Licensing Act 2003 for the prevention of public nuisance. Notwithstanding this it is advisable to take all necessary precautions to prevent a nuisance occurring from entertainment on the premises and to this effect monitor noise around the perimeter of the premises during events.

11. The Council expect that the applicant or main contractor for construction and demolitions applies for a Prior Consent under section 61 of the Control of Pollution Act 1974.

12. Please note that if a crane or piling rig is required to construct the proposed development, this will need to be safeguarded separately and dependant on location may be restricted in height and may also require full coordination with London Southend Airport. Any crane applications should be directed to sam.petrie@southendairport.com

13. The applicant is reminded of their responsibilities under the provisions of the Wildlife and Countryside Act.

383 21/01685/FUL - 135 Marine Parade, Leigh-on-Sea (West Leigh)
Proposal: Demolish existing dwelling and erect building comprising
7no. apartments, layout parking, landscaping, cycle and
refuse storage and form vehicular crossover onto Thames
Drive (Amended Proposal)
Applicant: P + PR Property Developments Ltd
Agent: BDA Architecture

Resolved:- That planning permission be REFUSED for the following reasons:

01 The proposed development, by reason of its excessive scale, form, mass, footprint, siting and poor design would have a significant detrimental impact on the grain, character and appearance of the site and the wider area and would be an over scaled, prominent and incongruous addition to the streetscene. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1, DM3 and DM6 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

02 The development offers no reasonable mitigation of the in-combination effect of the net increase of six dwellings on habitats and species in accordance with the Habitats Regulations as identified in the adopted Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) SPD (2020). This is unacceptable and contrary to the RAMS, and Policies KP1, KP2 and CP4 of the Core Strategy and Policy DM6 of the Development Management Document which seek to protect the natural environment with specific reference to the coastal habitats.

Informatives

1. Please note that this application would be liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended) if planning permission had been granted. Therefore, if an appeal is lodged and subsequently allowed, the CIL liability will be applied. Any revised application would also be CIL liable.

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The detailed analysis is set out in a report prepared by officers. In the circumstances the proposal is not considered to be sustainable development. The Local Planning Authority is willing to discuss the best course of action.

384 21/01341/FUL - 132 Southchurch Avenue, Southend-on-Sea (Kursaal)
Proposal: Convert lower ground floor and ground floor self-contained flat and storage to 2no. self-contained flats, install access steps to lower ground floor to front
Applicant: Sehernaz Gungor
Agent: Mr Ovunc Ozbaris

Resolved:- That planning permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin no later than three years from the date of this decision.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; SA062021-BP; SA062021-01; SA062021- 02; SA062021-03; SA062021-04 R2; SA062021-05; SA062021-06; SA062021-G

Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan.

03 Water efficient design measures as set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), including measures of water efficient fittings, appliances and water recycling systems shall be installed and made available for use prior to the first occupation of the development hereby approved and retained in perpetuity.c

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework (2021), Policy KP2 of the Southend-on-Sea Core Strategy (2007), Policy DM2 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

04 Prior to the first occupation of the development hereby approved, full details of external refuse, recycling and secure, covered bicycle storage facilities belonging to the ground floor and lower ground flats shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the development hereby approved those facilities shall be provided and made available for use at the site in accordance with the approved details and retained for the lifetime of the development.

Reason: In the interests of residential amenity for future occupants, to ensure the provision of adequate cycle parking and in the interests of visual amenity as set out in the National Planning Policy Framework (2021), Core Strategy (2007) policies KP2 and CP4 and Policies DM1, DM8 and DM15 of the Development Management Document (2015) and the guidance within the Design and Townscape Guide (2009).

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informatives

1. Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as amended). A Community Infrastructure Levy (CIL) Liability Notice will be issued as soon as practicable following this decision notice. This contains details including the chargeable amount, when this is payable and when and how exemption or relief on the charge can be sought. You are advised that a CIL Commencement Notice (CIL Form 6) must be received by the Council at least one day before commencement of development. Receipt of this notice will be acknowledged by the Council. Please ensure that you have received both a CIL Liability Notice and acknowledgement of your CIL Commencement Notice before development is commenced. Most claims for CIL relief or exemption must be sought from and approved by the Council prior to commencement of the development. Charges and surcharges may apply, and exemption or relief could be withdrawn if you fail to meet statutory requirements relating to CIL. Further details on CIL matters can be found on the Council's website at www.southend.gov.uk/cil.

2. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.

385 21/01370/FUL - 58 Lord Roberts Avenue, Leigh-on-Sea (Leigh)
Proposal: Demolish existing bungalow, erect two semi-detached dwellinghouses with dormers to rear, parking to front, install vehicular accesses onto Lord Roberts Avenue
Applicant: Mr Althasen
Agent: SKArchitects

Mr Fulker, a local resident, spoke as an objector to the application.

Resolved:- That planning permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990

02 The development hereby permitted shall be carried out in accordance with the following approved 668P101B, 668P102, 668P103A, 668P104A.

Reason: To ensure that the development is carried out in accordance with the Development Plan.

03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition and construction up to ground floor slab level shall take place unless and until full product details of the materials to be used on all the external elevations, including walls including decorative elements, roof, windows and doors, fascia and soffits, rainwater goods and boundaries have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before it is brought into first use.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2021) Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

04 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works above ground floor slab level shall take place unless and until full detailed design drawings and cross sections of the decorative elements of the front elevation including porch, brick decoration, reveals and eaves detailing at a scale of 1:20 or 1:10 as appropriate have first been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before it is brought into use.

Reason: To safeguard the visual amenities of the area, in accordance with the National Planning Policy Framework (2021) Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

05 The proposed first floor windows in the north and south flank elevations of the development hereby approved shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal finished floor level of the room they serve. In the case of multiple or double-glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4 on the Pilkington scale.

Reason: To ensure the development has an acceptable design and protects the amenities of neighbouring occupiers in accordance with policy DM1 of the Development Management Document (2015).

06 The roof of the single storey rear projection and any other area of flat roof hereby approved shall not be used as a balcony, roof garden or terrace unless express planning permission has previously been obtained. These roofs can however be used for the purposes of maintenance or to escape in the event of an emergency.

Reason: To ensure the development has an acceptable design and protects the amenities of neighbouring occupiers in accordance with policy DM1 of the Development Management Document (2015).

07 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no construction works other than demolition and construction up to ground floor slab level of the existing building shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority. The details submitted shall include, but not limited to:-

- i) Existing and proposed finished site levels or contours.
- ii) Details of means of enclosure, of the site including any gates or boundary walls and fencing.
- iii) Hard surfacing materials.
- iv) Full details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification and tree management plan.
- v) Details of measures to enhance biodiversity within the site.

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy DM1 of the Development Management Document (2015) and Policy CP4 of the Core Strategy (2007)

08 The tree and tree root protection measures as set out in the Arboricultural Report by Tree Radar UK Ltd reference TRUK0159 dated 06.07.21 and plan reference TRUK0159TPP (Tree Protection Plan) in relation to the trees identified as T1 and G4 in this statement, including the protective fencing and mitigation measures in relation to construction within the root protection areas, shall be implemented in full prior to commencement of the development and shall be retained throughout the construction phase of the development hereby approved. Implementation of the development shall be undertaken only in full accordance with British Standard 3998 and British Standard 5837 including supervision of works by a qualified arboriculturalist.

Reason: A pre commencement condition is justified to ensure the trees on and close to the site are adequately protected during building works in the interests of visual amenity and in accordance with Core Strategy (2007) policies KP2 and CP4, Development Management Document (2015) policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

09 The 2 car parking spaces and the associated new vehicular accesses for the spaces to access the public highway at the site as shown on approved plan

668P104A shall be provided and made available for use prior to the first occupation of the dwellings hereby approved. The car parking spaces and the associated vehicular access to and from the public highway shall thereafter be permanently retained solely for the parking of vehicles and the accessing of the car parking spaces in connection with the occupiers of the dwelling hereby approved and their visitors.

Reason: To ensure that satisfactory off-street car parking is provided in the interests of residential amenity and highways efficiency and safety, in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM15 and the Southend Design and Townscape Guide (2009).

10 A scheme detailing how at least 10% of the total energy needs of the development will be supplied using on site renewable sources shall be submitted to, agreed in writing by the Local Planning Authority and implemented in full in accordance with the approved details prior to the first occupation of the development hereby approved. This provision shall be made for the lifetime of the development.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) policy DM2 and the Southend Design and Townscape Guide (2009).

11 Prior to occupation of the development hereby approved, appropriate water efficient design measures as set out in Policy DM2 (iv) of the Development Management Document to limit internal water consumption to 105 litres per person per day (lpd) (110 lpd when including external water consumption), to include measures of water efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting shall be implemented for the whole development and retained in perpetuity.

Reason: To minimise the environmental impact of the development through efficient use of water in accordance with the National Planning Policy Framework (2021), Core Strategy (2007) Policy KP2, Development Management Document (2015) Policy DM2 and Design and Townscape Guide (2009).

12 The development hereby approved shall be carried out in a manner to ensure the dwellings comply with building regulation M4 (2) 'accessible and adaptable dwellings' before they are occupied.

Reason: To ensure the residential units hereby approved provides a high quality and flexible internal layout to meet the changing needs of residents in accordance with National Planning Policy Framework (2021), Core Strategy (2007) policy KP2, Development Management Document (2015) policy DM8 and the advice contained in the Southend Design and Townscape Guide.

13 No drainage infrastructure, including earthworks, associated with this development hereby approved shall be undertaken until details of the design implementation; maintenance and management of a scheme for surface water drainage works (incorporating Sustainable Urban Drainage (SuDs) Principles)

have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details before the development is occupied or brought into use and shall be maintained as such thereafter in perpetuity.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework (2021), Policy KP2 and CP4 of the Core Strategy (2007) and Policy DM2 of the Development Management Document (2015).

14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order or Act of Parliament revoking and re-enacting that Order with or without modification, no extensions or detached buildings shall be erected at the development hereby approved specified within Schedule 2, Part 1, Classes A, B, D, E and F of the Town and Country Planning (General Permitted Development) Order 2015 without the receipt of express planning permission in writing from the Local Planning Authority .

Reason: To enable the Local Planning Authority to regulate and control development in the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1 and the Southend Design and Townscape Guide (2009).

15 Construction Hours for the development hereby approved shall be restricted to 8am – 6pm Monday to Friday, 8am - 1pm Saturday and not at all on Sundays or Bank Holidays.

Reason: In the interests of the amenities of neighbours pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015).

16 No development shall take place, until and unless a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be fully adhered to throughout the construction period. The Statement shall provide, amongst other things, for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding including measures to ensure the protection of the street tree.
- v) measures to control the emission of dust and dirt during construction.
- vi) a scheme for recycling/disposing of waste resulting from demolition and construction works that does not allow for the burning of waste on site or pollution of the site.
- vii) Measures to mitigate the impact of noise during construction.

Reason: This pre-commencement condition is needed in the interests of visual amenity and the amenities of neighbouring occupiers pursuant to Policy CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

Informatives:

01 Please note that the development the subject of this application is liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and it is the responsibility of the landowner(s) to ensure they have fully complied with the requirements of these regulations. A failure to comply with the CIL regulations in full can result in a range of penalties. For full planning permissions, a CIL Liability Notice will be issued by the Council as soon as practicable following this decision notice. For general consents, you are required to submit a Notice of Chargeable Development (Form 5) before commencement; and upon receipt of this, the Council will issue a CIL Liability Notice including details of the chargeable amount and when this is payable. If you have not received a CIL Liability Notice by the time you intend to commence development it is imperative that you contact S106andCILAdministration@southend.gov.uk to avoid financial penalties for potential failure to comply with the CIL Regulations 2010 (as amended). If the chargeable development has already commenced, no exemption or relief can be sought in relation to the charge and a CIL Demand Notice will be issued requiring immediate payment. Further details on CIL matters can be found on the Planning Portal (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy) or the Council's website (www.southend.gov.uk/cil).

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.

03 It is recommended that prior to demolition of the existing building an appropriate Asbestos survey is undertaken. If asbestos is found then any asbestos-containing materials will need to be removed and safely disposed of in accordance with the Control of Asbestos Regulations 2012 and the applicant's/developer's Waste duty of care. It is recommended that the Council's building control department is notified of the demolition in order that requirements can be made under section 81 of the Building Act 1984.

04 If construction works are to be considered outside of normal hours especially overnight or are expected to cause a nuisance to existing receptors it is recommended that the applicant applies for a prior consent application under section 61 of the Control of Pollution Act 1974. A consent enables the applicant to conduct the works without the worry of enforcement provided they comply with it. The applicant will have to submit details of any noisy works including type of plant and machinery to be used, proposed daily start and finish times, consultation with nearby residents and businesses and duration and time scales of the works. The applicant will need an acoustically qualified person who will be able to calculate the predicted noise levels from the operation and the impact on nearby residents

and then be able to evaluate mitigation measures that can be used. If we become aware of any works that are highly likely to cause a nuisance we can serve a notice under section 60 of the Control of Pollution Act 1974 to prevent this. A breach of this will represent a criminal offence. The application form and guidance is available on the Southend-On-Sea Borough Council website. The applicant can also contact the Regulatory Services Team at Southend-on-Sea Borough Council for details.

05 The applicant is encouraged to include electric vehicle charging points at the site which is in accordance with Policy DM15 which encourages their provision wherever practical and feasible.

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

- 386 21/01323/FULH - 29 St Augustines Avenue, Thorpe Bay (Thorpe)**
Proposal: Erect part single/part two storey rear extension, raise part of ridge height, hip to gable roof extension to rear and form habitable accommodation in roof space, rooflights to side elevations, alter elevations and form porch canopy to front (Amended Proposal)
Applicant: G Steptoe
Agent: Mr Colin Stone of Stone Me Ltd

Resolved:- That planning permission be REFUSED for the following reason:

1. The proposed development by reason of scale, bulky appearance and design fails to integrate with the existing dwelling or respect the context of the site in relation to the wider area. As a result, the proposal would appear as an unduly prominent and discordant building, out of keeping with adjacent dwellings and the wider streetscene and results in overdevelopment of the site. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP1, KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice contained with the Design and Townscape Guide (2009).

- 387 21/01701/FULH - 28 Fastnet, Eastwood (St Laurence)**
Proposal: Erect single storey rear extension (Amended Proposal)
Applicant: Poppy Mackenzie
Agent: Mr Frazer Day

Mr Coleman, a local resident spoke as an objector to the application.

Resolved:- That the Director for Planning or Head of Planning and Building Control be DELEGATED to GRANT PLANNING PERMISSION subject to any additional representations received up to the end of 6th October raising no new

considerations, failing which the application will be brought back to the Committee for consideration, and subject to the following conditions:

01 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

02 The development hereby permitted shall be carried out in accordance with the following approved plans: D01 E, D02 E, D03 E, D04 E, D05 E, D06 E.

Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan.

03 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission.

Reason: in the interests of visual amenities further to the National Planning Policy Framework, Policies KP2 and CP4 of the Southend-on-Sea Core Strategy (2007), Policies DM1 and DM3 of the Southend-on-Sea Development Management Document (2015) and the advice contained within the Southend-on-Sea Design and Townscape Guide (2009).

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informatives:

01. You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the borough.

02. You are advised that as the proposed extension(s) or change of use to your property equates to less than 100sqm of new floorspace, and does not involve the creation of a new dwelling (Class C3), the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See the Planning Portal (www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy), or the Council's website (www.southend.gov.uk/cil) for further details about CIL.

388 21/01491/FULH - 237 Prittlewell Chase, Westcliff-on-Sea (Prittlewell)
Proposal: Erect part single/part two storey side and rear extension, alter elevations (amended proposal)
Applicant: Mr & Mrs Matthew & Sarah Harding
Agent: Mr Danny Knott

Mr Abdul, a local resident spoke as an objector to the application.

Resolved:- That planning permission be REFUSED for the following reasons:

01 The proposed first floor side windows to the east flank elevation of the development would give rise to actual and perceived overlooking of neighbouring rear garden areas of Nos. 233 and 235 Prittlewell Chase, significantly harmful to the privacy and rear garden enjoyment of those neighbouring occupants. This is unacceptable and contrary to the National Planning Policy Framework (2021), Southend Core Strategy (2007) policies KP2 and CP4, Southend Development Management Document (2015) policies DM1 and DM3 and the advice contained with the Southend Design and Townscape Guide (2009).

02 By reason of its size, siting, scale and relationship with the existing annex structure within the rear garden, the proposed development would appear as an unduly prominent, discordant and obtrusive feature, harmful to the character and appearance of the existing property and the wider streetscene and would also represent significant overdevelopment of the application site. The proposal is therefore unacceptable and contrary to the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP1, KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the advice contained with the Design and Townscape Guide (2009).

389 21/01406/FULH - 8 Eastwood Rise, Eastwood (Eastwood Park)
Proposal: Erect single storey rear and alter elevation
Applicant: Mrs C O'Dell
Agent: Mr P Brooks of Hope Design Studio Limited

Resolved:- That planning permission be GRANTED subject to the following conditions:

01 The development hereby permitted shall begin no later than three years from the date of the decision.

Reason: Required pursuant to Section 91 of the Town and Country Planning Act 1990.

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No's A100, A101 & A102A

Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan.

03 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings hereby approved or are required by conditions to this permission.

Reason: In the interests of visual amenity and to ensure that the appearance of the building makes a positive contribution to the character and appearance of the area. This is as set out in the National Planning Policy Framework (2021), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policy DM1, and the advice in the Design and Townscape Guide (2009).

04 The roof of the building/extension hereby approved shall not be used as a balcony, roof garden or similar amenity area or for any other purpose unless express planning permission has previously been obtained. The roof can however be used for the purposes of maintenance or to escape in an emergency.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2021), Policies KP2 and CP4 of the Core Strategy (2007), Policies DM1 and DM3 of the Development Management Document (2015) and the advice contained within the Design and Townscape Guide (2009).

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informatives

You are advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development would benefit from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge would be payable. See www.southend.gov.uk/cil for further details about CIL.

You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.

**390 TPO/2/2021 - 11 Exford Avenue, Westcliff-on-Sea
Proposal: Confirmation of Tree Preservation Order 02/2021**

Resolved:- That the Tree Preservation Order 02/2021 be confirmed.

Chair: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Appeals Committee B

Date: Thursday, 7th October, 2021
Place: Committee Room 1 - Civic Suite

20

Present: Councillor T Cowdrey (Chair)
Councillors K Evans, K Robinson, *T Cox and *D Garne

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: R Harris and A Smith

Start/End Time: 9.30 am - 1.00 pm

391 Apologies for Absence

Apologies for absence were received from Councillors Walker (substitute: Cllr Garne), Warren (substitute: Cllr Cox) and Stafford.

392 Declarations of Interest

There were no declarations of interest at this meeting.

393 Exclusion of the Public

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

394 School Transport Appeal - AD

The Committee considered a report of the Executive Director (Children and Public Health), together with supporting correspondence from the parent of pupil AD, in connection with applications for home to school transport assistance.

The appellant was in attendance and presented their case and reasons. The appellant was supported by Councillor Habermel.

Resolved:

That the appeal be upheld and home to school transport assistance be granted for pupil AD.

395 School Transport Appeal - OK

The Committee considered a report of the Executive Director (Children and Public Health), together with supporting correspondence from the parent of pupil OK, in connection with applications for home to school transport assistance.

The appellant was in attendance and presented their case and reasons. The appellant was supported by Councillor Ward.

Resolved:

That the appeal be upheld and home to school transport assistance be granted for pupil OK.

Chair: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Policy and Resources Scrutiny Committee

Date: Thursday, 7th October, 2021
Place: Council Chamber - Civic Suite

21

Present: Councillor D Garston (Chair)
Councillors S Habermel (Vice-Chair), S Buckley, D Cowan, T Cox,
M Davidson, M Dent, S George, M Kelly, D McGlone, K Mitchell*, J Moyies,
D Nelson, I Shead, A Thompson, S Wakefield and P Wexham

*Substitute in accordance with Council Procedure Rule 31.

In Attendance: Councillors I Gilbert and P Collins (Cabinet Members), O Brown, S Meah-Sims and S Tautz

Start/End Time: 6.30 pm - 7.30 pm

396 Apologies for Absence

Apologies for absence were received from Councillor T Cowdrey (Substitute: Councillor K Mitchell).

397 Declarations of Interest

The following interests were declared at the meeting:

- (a) Councillors I Gilbert and P Collins (Cabinet Members) - Interest in the called-in item; attended pursuant to the dispensation agreed at Council on 19 July 2012, under S.33 of the Localism Act 2011.
- (b) Councillor S Habermel – Agenda Item 5 (Selective Licensing) - Landlord of property not within the areas of designation for the Selective Licencing Scheme - Non-pecuniary interest.
- (c) Councillor I Shead - Agenda Item 5 (Selective Licensing) - Landlord of property within the areas of designation for the Selective Licencing Scheme - Pecuniary interest (withdrew).
- (d) Councillor S George - Agenda Item 5 (Selective Licensing) - Council's representative on the South Essex Alliance of Landlords and Residents (SEAL) - Non-pecuniary interest.
- (e) Councillor S Wakefield – Agenda Item 5 (Selective Licensing) – Landlord of House in Multiple Occupation (HMO) property within the Borough - Non-pecuniary interest.

398 Questions from Members of the Public

The Committee noted the response of the Cabinet Member for Public Protection to questions submitted by Mr D Webb, which would be sent to Mr Webb as he was not present at the meeting.

399 Minutes of the Meeting held on 2 September 2021

Resolved:

That the minutes of the meeting of the Committee held on 2 September 2021 be confirmed as a correct record and signed.

400 Selective Licensing

The Committee considered Minute 333 of the meeting of the Cabinet held on 14 September 2021, which had been called-in to the Policy and Resources Scrutiny Committee, together with a report of the Interim Executive Director (Growth and Housing) that provided an update on the work underway to prepare for the implementation of the Selective Licensing scheme within neighbourhoods in the Milton, Kursaal, Victoria and Chalkwell wards.

The Leader of the Council undertook to provide a written response to questions raised by members of the Committee with regard to the financial implications of the Selective Licensing Scheme, specifically the cost of the specialist software procured for the management of the Scheme and the number and cost (including on-costs) of officers required to manage and enforce the Scheme.

Resolved:

1. That the matter be referred back to the Cabinet for reconsideration, with reference to the additional information requested by the Committee in relation to the financial implications of the Selective Licensing Scheme.
2. That, in accordance with Council Procedure Rule 39, the matter be referred to full Council for consideration.

Note: This is an Executive Function
Cabinet Member: Councillor I Gilbert

401 Joint In-Depth Scrutiny Project 2021/22

The Committee received a report of the Executive Director (Legal and Democratic Services) on progress with regard to the joint in-depth scrutiny project for 2021/22.

Resolved:

That the report be noted.

Note: This is a Scrutiny function

Chair: _____

SOUTHEND-ON-SEA BOROUGH COUNCIL

Meeting of Place Scrutiny Committee

Date: Tuesday, 12th October, 2021
Place: Council Chamber - Civic Suite

22

- Present:** Councillor A Moring (Chair)
Councillors D Jarvis, K Buck, A Bright, D Cowan, M Dent, T Cox*,
M Davidson*, K Evans, S George, K Mitchell, J Moyies*, D Nelson*,
K Robinson, I Shead*, N Ward and P Wexham
(*Substitute in accordance with Council Procedure Rule 31.)
- In Attendance:** Councillors I Gilbert, C Mulroney and R Woodley (Cabinet Members)
A Lewis, J Chesterton, A Richards, A Barnes, E Cooney, N Hoskins,
G Gilbert, A Grant, Mr G Pearce (Swan Housing) and T Row
- Start/End Time:** 6.30 pm - 10.55 pm

402 Apologies for Absence

Apologies for absence were received from Councillors F Evans (substitute: Councillor Moyies), Folkard (substitute: Councillor Davidson), Wakefield (substitute: Councillor Shead), Walker (substitute: Councillor Cox) and Warren (substitute: Councillor Nelson).

403 Declarations of Interest

The following interests were declared at the meeting:

(i) Councillors Gilbert, Mulroney and Cox - Interest in Minute No. 405; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011; and

(ii) Mr A Lewis and Mr A Richards – Minute No. 405 (Internal Audit Report: Better Queensway Highways Scheme) – Non-pecuniary interest: Member of the Board of Porters Place LLP.

404 Questions from Members of the Public

There were no questions from members of the public.

405 Internal Audit Report: Better Queensway Highways Scheme

The Committee considered the report of the Executive Director (Finance & Resources) that presented the findings from the internal audit work in relation to the questions and concerns raised by a group of Councillors about the highways scheme element of the Better Queensway regeneration development and the options for the underpass and roundabout. This had recently been considered by the Council's Audit Committee at its meeting on 22nd September 2021 (Minute 359 refers). The Scrutiny Committee also had before it a copy of the draft Minutes of that meeting.

The Committee debated the matter in detail and asked a number of questions which were responded to by the Leader of the Council, relevant officers and Mr Pearce, Chief Executive of Swan Housing.

In response to a question regarding the viability and potential costs of a highways scheme retaining an underpass in line with the 2018 highways design, the Leader of the Council undertook to re-circulate the financial details to all Councillors that had been previously provided in this regard within the next two weeks.

The Committee took the opportunity to thank the Head of Internal Audit for his engagement and the hard work undertaken by his team in preparing a comprehensive report.

Resolved:-

1. That the findings of the internal audit work (outlined at Section 4 of the report of the Executive Director (Finance and Resources) and reported in full at Appendix A of the submitted report), be noted and that the recommendations set out in the internal audit report at Appendix A, be endorsed.

2. That the recommendation in Minute 359(4) of the Audit Committee should not be agreed. Recommendation 4 was “that the powers delegated to officers by Cabinet in relation to Better Queensway regeneration project should cease (although for the avoidance of doubt powers delegated to officers in Part 3 Schedule 3 of the Constitution and the SO46 procedure in Part 4a shall continue to apply in appropriate circumstances”).

3. That, in accordance with Standing Order 39, the matter be referred to full Council for decision. ||

Note:

Resolution 1 above is a Scrutiny Function.

Resolution 2 above is an Executive Function.

Chair: _____

Council – 21st October 2021

23

Notice of Motion

Lock all Car Park Gates (including the Borough's parks)

This Council resolves:

To Lock all car park gates to the Borough's parks, to prevent Anti-Social Behaviour and traveller incursions.

Proposed: Cllr Wakefield

Seconded: Cllr Ward

This page is intentionally left blank

Opposition Business

Notice of Motion

25

Vecteo Contract Issues

This Council notes the concerns of residents that LHCS and Southend Travel Partnership Ltd (T/as "Vecteo"), a transport provider contracted by Southend Council is failing.

Southend Council set up the transport company, Vecteo, in partnership with London Hire Community Services, a private contractor, after awarding the company a 10 year contract, using hundreds of thousands of pounds of public money.

Vecteo then left children and vulnerable adults on the side of the road, parents waiting hours for collection, children with severe safeguarding concerns left unattended or without adequate chaperones - one child had an epileptic fit and was reported "blue" on arrival.

Vecteo failed to provide adequate staff, meaning disabled children had to get taxis to school. Parents reported taxi drivers leaving children at the side of the road, no handover. They could have wandered off, been abducted, run over.

A child was taken to the wrong home on return from school. Parents had reported to have waiting hours for collection, disrupting other family members getting to school, or parents being able to get to work. Many reported that their chaperones (the few they had) were not medically trained in their child's conditions, something that the previous provider had ensured.

Many have described serious safeguarding concerns for those in taxis, or those that were able to go in minibuses including the lack of risk assessments for transporting the most vulnerable in the town.

This Council therefore resolves that:

1. Vecteo appoints an independent interim Managing Director, empowered to take control and resolve the numerous issues that have been created by the company since 1st September 2021 in delivering services to SEND children and vulnerable adults.
2. An independent investigation is conducted into the delivery of the contract from a user point of view, with the terms of reference to be agreed between the Children & Learning portfolio and shadow portfolio holders
3. An investigation is conducted, to be led by Internal Audit, into the awarding of the contract Vecteo and the failure to have adequate risk assessments in place for the most vulnerable in the town.

Proposed By: Cllr Cox
Cllr Courtenay

Seconded By Cllr Beggs
Cllr Bright
Cllr Boyd
Cllr Buck
Cllr Buckley
Cllr Davidson
Cllr Dear
Cllr Evans
Cllr Folkard
Cllr Garne
Cllr Garston
Cllr Habermel
Cllr Jarvis
Cllr Lamb
Cllr McGlone
Cllr Moring
Cllr Moyies
Cllr Nelson
Cllr Salter
Cllr Walker
Cllr Warren